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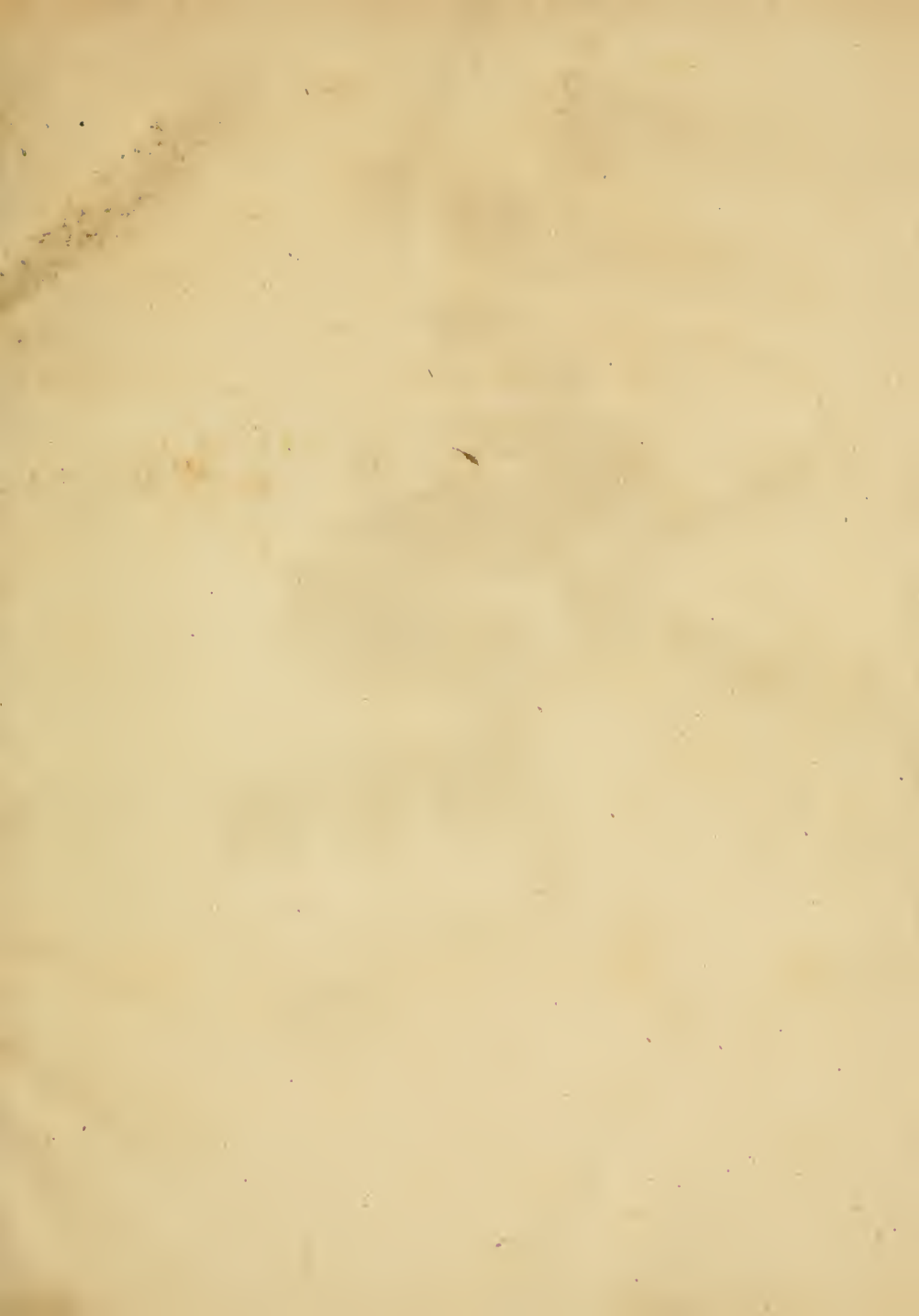
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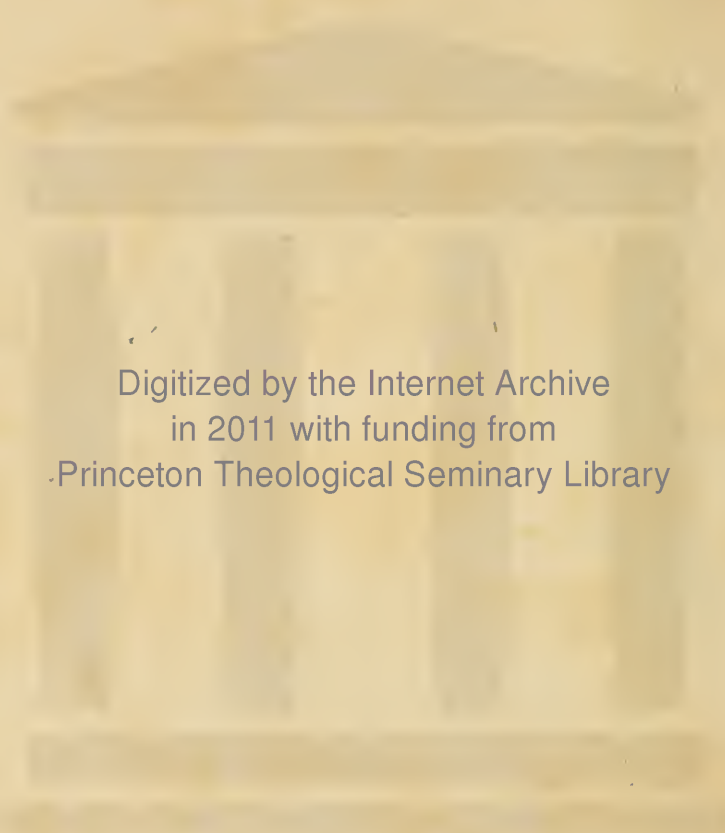
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A FULL
ANSWER
TO
AN INFAMOUS
AND
TRAYTEROUS PAMPHLET,

ENTITLED,

[*A Declaration of the Commons of England in Parliament assembled, expressing their Reasons and Grounds of passing the late Resolutions touching no further Addresse or Application to be made to the KING.*]

By Edward^W Hyde, Earl of Clarendon.

MICAH 3. II.

The Heads thereof judge for reward, and the Priests thereof teach for hire, and the Prophets thereof divine for money: yet will they leane upon the Lord, and say, Is not the Lord among us? none evill can come upon us.

Printed for R. ROYSTON. 1648.

W. S. W. E. R.

A. M. I. N. V. A. L. O. N. G.

THEATRE DE L'OPERA

Le 25 Mars 1792
Le 26 Mars 1792
Le 27 Mars 1792
Le 28 Mars 1792
Le 29 Mars 1792
Le 30 Mars 1792
Le 31 Mars 1792

Le 1er Avril 1792
Le 2er Avril 1792
Le 3er Avril 1792
Le 4er Avril 1792
Le 5er Avril 1792
Le 6er Avril 1792
Le 7er Avril 1792

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Le 25 Mars 1792



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An ANSWER to an infamous and
trayterous Pamphlet, entituled,

[A DECLARATION of the Commons of England,
in Parliament, expressing their reasons and grounds of
passing the late Resolutions, touching no further addresse
or application to be made to the KING.]



IF the nature and minds of men were
not more inclined to errour and vice,
then they are to truth and vertue, and
their memories more retentive of the
Arguments and evidence, which is ad-
ministred to pervert, then of those ap-
plied to reclaime them, there would be
little need of composing any Answer to this seditious
and trayterous Declaration, which consists onely of the
severall infamous and scandalous imputations and re-
proaches (except the odious and groundlesse discourse of
the death of King *James*, which though they have al-
waies whisper'd, they never thought fit to own till now)
which have been thrown and scattered against the King
throughout their Declarations and Remonstrances, and
is but the same Calumny and Treason, bound up in a
B lesser

lesser Volume ; to every particular whereof His Majesty (whilst he was at liberty to speak for himself, and to take the pains to undeceive and inform his people) gave full and clear answers, in His severall Declarations and Expresses, so that from thence all men may gather the most naturall and proper Antidotes, to expell this poyson, the spirit and malignity whereof, (it is hoped) is so near spent, by the stalenesse and palpable unskilfulnesse, as well as malice, of the Composition, that it will neither be received by, or work upon any healthfull Constitutions ; yet it will not be amisse, for the information of those, who (it may be) have not taken the pains to read the KING's former Answers and Declarations ; and refreshing the memory of others, who have forgotten what they have read, to collect the Answers formerly given to those particulars, with which His Majesty is now charged, and to adde to those Answers, what the knowledge and observation of most men who have been faithfull inquirers into past Actions, with that integrity and duty that becomes Subjects, may supply them with ; For which there will need no great Apology, since every honest man hath a more regular and legall qualification, to vindicate His Majesty from those foule aspersions, then any Combination, or Congregation of men, can have to traduce Him with them.

Before any discourse be applied to the monstrous Conclusions, which are made, and for the support and maintenance whereof, that Declaration is framed and contrived, or to the unreasonable glosses upon His Majesties Propositions, and prosecution of his desires of peace and Treaty, it will be the best method, to weigh and consider those particulars, upon which they would be thought to found their desperate Conclusions, and in which they say,

say, there is a continued tract of breach of trust in the three Pag. 11.
Kingdomes since His Majesty wore the Crowne.

1. The first Charge is, that His Majesty in publique Speeches and Declarations, hath laid a fit foundation for all Tyranny, by this most destructive *Maxime* or *Principle*, which he saith, he must avow, *That He oweth an account of His Actions to none, but God alone; and that the Houses of Parliament, joynt or separate, have no power, either to make or declare any Law.* Pag. 12.

That which all learned Christians in all ages have taught, and all learned Lawyers of this Kingdome have alwaies held, and acknowledged, is not like to be a *destructive principle*, and a *fit foundation for Tyranny*; and surely this assertion of His Majesties hath no lesse authority; For the first, the incomparable *Grotius*, upon whom all learned men look with singular reverence, saies, that even *Samuel jus Regum describens, satis ostendit adversus Regis injurias nullam in populo relictam potestatem*; which, saies he, *rectè colligunt veteres ex illo Psalmi; Tibi soli peccavi*: Because being all, *ejusdem ordinis*, the people owe the same obedience to these, as they did to those, though the absolute power and jurisdiction the Kings of *Israel* had, be no rule for other Princes to claime by: And *Grotius* there cites Saint *Ambrose* his note upon the same Text, *Neque ullis ad pœnam vocantur legibus, tuti imperii potestate, homini ergo non peccavit, cui non tenebatur obnoxius.* De jur. bell. fol. 64.

The wise and learned Lord Chancellor *Egerton*, in his Postnat. p. 107.
Argument of the *Postnati*, mentions some Texts in the Civill Law, of the great and absolute power of Princes, as *Rex est lex loquens*, and *Rex solus judicat de causa à jure non definita*, and saies, he must not wrong the *Judges* of the Common Law of the Kingdome, so much as to suffer

an imputation to be cast upon them, that they or the Common Law doe not attribute, as great power and authority to their Soveraigns the Kings of England, as the Canon Laws did to their Emperours; and then cites out of Bracton, (the Chief Justice in the time of King Hen. 3. and an authenticke Authour in the Law) these words, *De Chartis Regiis & factis Regum non debent nec possunt Fustitiiarii, nec privata personæ disputare, nec etiam si in illa dubitio oriatur, possunt eam interpretari, & in dubiis & obscuris, vel si aliqua dictio duos contineat intellectus, Domini Regis erit expectanda interpretatio & voluntas*: and the same Bracton in another place saies of the King, *Omnis sub eo est, & ipse sub nullo, nisi tantum sub Deo*.

16 Rich. 2. c. 5. The ground of that excellent law of *Premunire* in the 16 year of King Rich: 2. c. 5. and the very words of that Statute are, *That the Crown of England hath been so free at all times, that it hath been in no earthly Subjection, but immediately subject to God in all things, touching the Regality of the same Crowne, and to none other*; and upon that *Maxime* of the Law, that good Statute against the Pope, was founded.

1 Eliz. c. 1. If the King were bound to give an Account of his Actions to any person or power whatsoever (God excepted) he could not be *the onely supream Governour of this Realme*, which he is declared and acknowledged to be by the Oath of Supremacy, which every Member of the House of Commons hath taken; or if he hath not, he ought not to sit there, or to be reputed a Member of Parliament by the Statute of 5 Eliz. c. 1.

For the other part of this most destructive *maxime* or principle, That the Houses of Parliament, joynt or separate, have no power either to make or declare any thing to be Law, which hath not been formerly made to be so: It hath been

been the judgment and *language* of the law it *self* in all Ages, and the language of all *Parliaments themselves*.

It was the judgment of the Parliament in the 2 year of King *Hen. 5.* (remembered and mentioned by the King, in his Answer to the 19 Propositions) *That it is of the Kings regality to grant or deny such of their Petitions as pleaseth himself*, which was the forme then usuall to present those desires, which by the Kings approbation and consent were enacted into Laws.

It was the *language of the Law* in the 36 year of K. *H. 6.* Dyer, fol. 60.
pl. 19. reported by my Lord Dyer, that *the King is the head, and that the Lords are chief and principall Members, and the Commons, to wit, the Knights, Citizens and Burgessees, the inferiour Members, and that they all make the Body of Parliament*: and doubtlesse the Priviledge of Parliament was not in that time held so sacred a thing, when an Action of *Debt* was brought against the Sheriffe of *Cornwall* for having discharged one *Trewynnard*, a Burgesse of Parliament, taken in Execution during the Session of Parliament upon a Writ of priviledge directed to the said Sheriffe, and the Kings Bench (where the Action was brought, and the Sheriffe justified) was in those daies the proper place to judge what was the priviledge of Parliament, the Law being the most proper Judge of that priviledge, as well as of all other rights.

It is the language of the Authour of *Modus tenendi Parliamentum*, who lived before the time of *William the Conquerour*, and it is the language of Sir *Edw. Coke* in the 4 part. Instit.
p. 25. Chapter of the high Court of Parliament, which was published by a speciall Order of the House of Commons since the beginning of this Parliament, that *there is no Act of Parliament but must have the consent of the Lords, the Commons, and the royall assent of the King*: and the

same Sir Edward Coke saies, in the 11. p. of that Chapter, *that Innovations and Novelties in Parliamentary proceedings are most dangerous, and to be refused.*

8 Jac. c. 1.

It is the language of the Parliament in the 1 year of King James, when to the first Act that was past, they desired His Majesties royall assent, *without which* (they say) *it can neither be compleat or perfect, nor remaine to all posterity, &c.*

Exact Collect.
p. 207.

Lastly, it is the language of this present Parliament, and in a time in which they were not very modest in their pretences, for in their Declaration of the 19 of May, they acknowledge, *that by the constitution of this Kingdome, the power is in His Majesty and Parliament together*, albeit they conclude in the same Declaration, *that if He refused to joyne with them, they will doe their work themselves without Him.*

There is no one Proposition that hath more misled men, then the discourse of the Parliaments being the supream Court of Judicature, and therefore that they have the sole power to declare Law; It is confessed, that the House of Peers in Parliament (for any pretence of the House of Commons to judicature is groundlesse, and unreasonable, and unheard of, till within these last seven years) is the supream Court of Judicature, whither any person that conceives himself oppressed by the judgment of any other Court, may by writ of Error remove that judgment, of which he Complaines, and from the Sentence of that Court there is no Appeale; which His Majesty well expressed in His Answer to that Declaration of the 19 of May, in these words, *We deny not, but they may have a power to declare in a particular doubtfull case regularly brought before them what Law is, but to make a generall Declaration, whereby the known rule of the Law may be*
crossed

Exact Collect.
p. 251.

crossed or altered, they have no power, nor can exercise any without bringing the Life and Liberty of the Subject to a lawlesse and arbitrary subjection : Which assertion the too sad experience of all men hath evinced to be most reasonable. The truth is, that power of declaring in a particular case so brought before them, is rather a power to declare what shall be done in that case, then what the law is ; for if they reverse a judgment brought before them, and determine the right otherwise, then it hath been judged by the sworne Judges, that judgement is no rule to the sworne Judges to judge by, but they may in the like case without imputation of Crime or error, judge as they did formerly ; which shews that the Judges are the onely Interpreters of the Law, in their severall Courts, though in these cases, removed regularly before the Lords, the party must *acquiesce*, there being no other Court to appeale to.

Adde to this, that there hath been in all times, that reverence to the sworne Judges of the Law, that the Lords in Parliament have alwaies guided themselves by their opinion in matters of law ; neither will it be ever found before this Parliament, that the House of Peers ever declared or judged the law in any particular case against the unanimous opinion of the Judges, who are assistants only for that purpose ; neither is it reason that any should be thought fit Interpreters or Declarers of the law, but they who have studied it, and are sworne to doe it truly. And to this point, though there are multitude of examples and Presidents, there shall be one only remembred : In the Parliament in the 28 year of *Hen. 6.* upon the 16 of *January*, the Commons desired, That *William de la Poole Duke of Suffolk* should be Committed to prison for many Treasons & other hainous Crimes comitted by him; The
Lords

Lords in Parliament were in doubt, what Answer to give; they demanded the opinion of the Judges, their opinion was, that he ought not to be Committed; And the reason was, for that the Commons did not charge him with any particular Offence, but with generall Slanders and Reproaches; And therefore because the specialties were not shewed, he was not to be Committed: this opinion was allowed, and the Duke was not Committed, till a Fortnight after that the Commons had exhibited speciall Articles against him, that he conspired with the French King, to invade the Realme, &c. And then he was sent to the *Tower*: So great respect did those times beare to the Judges of the Law, and so much courage had the Judges then to declare what the Law was.

Having now made it manifest, that this most destructive *maxime* or *principle*, is no *new position*, but agreeable to *antiquity*, *Conscience*, *truth*, and *Law*, and therefore not like to be a *fit foundation for all Tyranny*; It will not be unseasonable, to observe that these words were spoken by His Majesty at the first Session of Parliament in the 3 year of his Reigne, and that though the matter of them hath been often since, and must be alwaies averred by him; the very words have not been used in Speech or Declaration by His Majesty since the beginning of this Parliament, and that that very Parliament continued many Months after, and never in the least degree made question of them, nor hath any objection been made to them, till this new Declaration of the Commons, near 18 years after, and therefore it is not probable, that they have been before mis-interpreted or censured.

It may be likewise in this place fit to inform the people, what these men meane by *the power of Declaring Law*, which they are so ambitious of; that they may know
how

how little else they would need to destroy King and people, if they were possessed of this power, in the sense they intend; which will best appear by the instances in which they have assumed it.

The King proclaimes Sir *John Hotham* guilty of high Treason, for having shut the Gates of *Hull*, and having made *resistance with armed men in defiance of His Majesty*, which he saies is high Treason by the Statute of the 25 year of *Edw. 3. c. 2.* They declare that Sir *John Hotham* did not shut the Gates against Him in defiance, *but in obedience to His Majesty*, and that the meaning of that Statute is onely against those, who levyed War against the Kings laws and authority; that the Kings Authority is only in them; and they only can judge of the laws; and therefore that they who shall levy War by their authority, (though against the personall Commands of the King, and accompanied with his presence) incur no danger by that Statute: And that they who did attend His Person against them, are guilty of Treason within that Statute.

Exact Collect.
p. 276, 277.

The King for the information of his Subjects, remembers them of the Statute made in the 11 year of *K. Hen. 7. cap. 1.* by which it is enacted, *That no manner of person, whosoever he be, that attends upon the King and Soveraign Lord of this Land for the time being in His Person, and doe Him true and faithfull service of allegiance in the same, or be in other places by His Commandement in His Wars, shall be convict or attaint of high Treason, nor lose Lands, Goods, &c.* They declare that by the King, in this Statute, is meant the Parliament. If they are told the King is Supreme head and Governour over all persons within His Dominions, and that He is so acknowledged to be by the Oaths themselves have taken, They presently declare, that it is meant of singular persons rather then of Courts,

Exact Collect.
p. 280.

Exact Collect.
p. 703.

or of *the collective body of the whole Kingdome*: Examples innumerable of this kind might be remembred, and the consequence needs not be pressed.

That the absurdity may a little appeare, as well as the mischief, they apply this faculty of declaring to the satisfying their Curiosity, and supporting their Credit, to matter of right, and matter of fact, or to any purpose that may advance their Designes: They intercept a Letter directed to the *Queens Majesty* from the Lord Digby before the War began, and declare it would be *dishonourable to His Majesty and dangerous for the Kingdome, if it should not be opened*; and thereupon with unheard-of presumption, they open and peruse the Letter, Her Majesty being within a daies journey of them: And when the King caused Sir *John Hotham's* Letters to be opened, which were intercepted after he was in Rebellion, They declare, that it was a *high breach of Priviledge*, which by the *Laws of the Kingdome*, and by the *Protestation* we are bound to defend with our lives and fortune.

One Master Booth, a Gentleman of quality of *Lincolnshire*, delivered a Petition to the King at *Torke*, in which he complained of certaine Gentlemen, who as Deputy-Lieutenants, had put the Ordinance for the *Militia* in execution in that County; and set forth in his Petition severall Actions done and words spoken by them at that time, and both himself and one Master *Scroope* made *afidavit* before a Master of the Chancery, that the Information in the Petition was punctually and precisely true; which Petition and Oath being printed, the House of Commons frankly declared, That it was false; Not to speak of their declaring that the Kings comming to the House of Commons was a trayterous design against the *King and Parliament*; and that His *Proclamation* which

He

He published *for the apprehension of those Members*, was false; So that this sole power of declaring, would not stand in need of any other power to subvert the whole frame of Government, and so dispose of the intire rights of Prince and People according to the variety of their appetites and humour; For they say, as *some presidents of their Predecessours ought not to be rules for them to follow, so none can be limits to bound their proceedings.* Ex.Col.p.265.

And in truth the inconstancy and contradiction in their rules and resolutions is no lesse observable then the other extravagancy; In their Petition of the 14 of Decem. 1641. they declared, that *the King ought not to manifest or declare His consent, or dissent, approbation or dislike of any Bill in preparation or debate, before it be presented to Him in due course of Parliament*; yet within few daies after, in the Petition that accompanied the Remonstrance of the State of the Kingdome, they desired His Majesty that He would *concur with them, for the depriving the Bishops of their Votes in Parliament*, the Bill for that purpose being still depending in the Lords House, and then not like to passe.

By the Order of the 3 of January 1641. and many Declarations after, they declared, that *if any Person whatsoever, shall offer to Arrest or detain the Person of any Member without first acquainting the House, that it is lawfull for him to stand upon his defence and make resistance, and for any other Person to assist him in so doing*; but in their Declaration of the 2 of November following, they deny that they had said so, and acknowledged that *a Member in the cases of Treason, Felony, or the Peace, may be Arrested and detained in ordine to his appearance before the Parliament.* Ex.Col.p.727.

There would be no end of these instances, not to speak of those, where the House of Peers have declared the Law

one way, and the Commons an other, as in the Order of the 9 of *September*.

Pag. 12.

2. The next Charge is, the private *Articles agreed in order to the Match with Spaine, and those other private Articles upon the French Marriage, so prejudiciall to the Peace, Safety, Laws, &c.*

What those private Articles were, or are, is not expressed, which doubtlesse would have been, if a reasonable advantage might have been hoped from it; all those Papers being seized and perused by those, who have neither respect to the dignity of their Sovereigne, or regard of the honour of their Country. The Articles with both Kingdomes, were transacted by the great wisdom of King *James*, and cannot be imputed to His Majesty that now is; neither is there in one, or the other, any one Article that was not in the Kings power to agree to, in the manner in which he did agree; and that neither of them were prejudiciall to the Peace, Safety, Laws, and Religion here established, is most evident, for that Peace and Safety were never more visible, nor the Laws and Religion established did ever flourish more in any age, then from the time of those Articles to the beginning of this unhappy Parliament, which no discourse of correspondence with *Rome*, can hinder from being acknowledged.

Pag. 12.

3. The third matter objected is, a Discourse concerning *the Death of King JAMES*, in which there is mention of a Clause in the Impeachment carried up against the *Duke of Buckingham* by the House of Commons, in the 2 year of this King, & that the King came into the Lords House and took notice of that Charge, and said, He could be a Witnesse to clear him in every one of them; and that shortly after the *Parliament* was dissolved, and they conclude,

clude, that *they leave it to the world to judge where the guilt remains.*

During the life of King *JAMES*, and to the hour of his death, there was no earthly thing He took equall joy and comfort in, as in the obedience & piety of His Son; who was not more reputed and known to be Heire apparent to the Crown, then to be the most dutifull and pious Son in the Kingdome, and was never known to displease His Father in His life; The King died in the 59 year of his age, after many terrible fits of an *Ague* which turned to a *quotidian Fever*, a disease usually mortall to persons of that age and corpulency of body, which K. *JAMES* was of.

After His death, in the 1 year of His Majesties Reigne, there was a Parliament called, during which time there was never the least whisper or imagination of the King's death, to be otherwise then naturall, and yet the King had many great persons in His Council, and there were more afterwards in that Parliament, who did not pretend any kindnesse to the *Duke of Buckingham*; many of whom must necessarily have observed, or at least have been informed of any Arguments for such a notorious and odious practice, and would not have suffered any jealousy, that could reflect on the *Duke*, to be untaken notice of.

By that time the Parliament in the 2 year of the King began, one *George Eglisham*, an infamous Scotch-man, and a Papist, having an ambition to be taken notice of as an Enemy to the *Duke*, transported himself into *Flanders*, and from thence about the beginning of that Parliament, sent over a small Pamphlet in the form of a Petition in his owne name to the Parliament, accusing the *Duke of Buckingham* of having poysoned the *Marquesse of Hamilton*, and King *JAMES*; which Pamphlet was in-

dustriously scattered up and down the streets in the City of *London*; and the House of Commons being at the same time incensed against the Duke, in their Impeachment or Remonstrance against him, thought fit to insert *the giving of that Drink, and applying that Plaster* (which was all that was mentioned in that Pamphlet concerning King *James*) *as a transcendent presumption in the Duke*, as is set forth in this Declaration.

If they had been ingenuous, they would likewise have set forth the *Duke's answer* to that Clause, and then the people would have understood that there was nothing *administred to the King, without the privy of the Physitians, and His own importunate desire and Command*; the applications being such, as unlearned people upon observation and experience in those known and common Diseases, believe to do much good, and the learned acknowledge can doe no hurt; And the Parliament continued above a Week after that Answer was put in, and no one person appeared in that time to offer the least evidence concerning that Clause; and the King might very well in justice to the honour of a faithfull Servant discharge His owne knowledge to free him from so horrible an imputation; And after the dissolution of that Parliament, all imaginable care was taken to examine the grounds, and to discover the Authours of that Suggestion; And it is known the miserable wretch, who raised the Scandal, with great penitence afterwards acknowledged his Villany, and died with the horreur of his guilt.

In the year following, there was another Parliament summoned, which continued and sate many Months together before the Dukes death, and which was not more devoted to him then the former had been; where those two Gentlemen mentioned in the Declaration bore great
 sway,

sway, and were nothing reconciled to the Duke or the Court, yet in all their Remonstrances, not the least word of that aspersi^on, all men believing and knowing it to be the most groundlesse, that could be imagined.

After the beginning of this Parliament when the licence of Talking and Preaching seditiously was introduced, it was whisper'd amongst some of the chief Agents for the confusion which hath since followed, that they would examine the matter of the Death of King *James*, and shortly after the businesse of the *five Members*, when the King was at *Windsor*, and the two Houses governed so absolutely; This Pamphlet written so long since by *Eglisbam* was printed, and publickly sold in Shops, and about the Streets, and a very powerfull person of that Faction, with some seeming trouble in his countenance, told one of the Secretaries of State, that many took the liberty abroad to discourse too boldly of the Death of King *James*, and that he would send one to him, a Clergy man, who could give him a particular information of it; the same night the man came to him, who told him that there was a Papist, who lived about *London*, or in the nearest part of *Surrey*, who reported, that *he could prove, that King James was poisoned*; the Secretary required the Informer to attend him at an houre the next day; and early in the morning, assembled the Privy Councell, acquainted them with the Information, and the Informer; and desired their Lordships advice and opinions what should be done upon it; the most of them were very shy in the matter, and he who had first spoken of it, and sent the Informer, seemed wonderfully troubled that it was Communicated so publickly; by which it was evident he had in the intimation some Designe either upon that Honourable Person or his Master, of
which

which he hoped to have made another use : The Secretary immediately after he had received the intelligence, sent an Expreſſe to His Maieſty with the account, and that he intended forthwith to impart it to the Councell; ſince it was no hard matter to gueſſe what was meant by thoſe, who were privy to it, and therefore deſired His further pleaſure upon it; and finding the ſwaying part of the Councell at that time unwilling to meddle in it, he expected the King's Command, and in the mean time only ſent a Warrant to apprehend that Papiſt, which could not be done without the diligence and advice of the Informer, who only knew where he was; and whom he required to aſſiſt. The ſame, or the next day the King returned His poſitive and expreſſe Command, *That the Lords of His Councell ſhould uſe all poſſible Induſtry and diligence in the examination, and leave no way unattempted for the full diſcovery* : which Command was immediately delivered by the Secretary to their Lordſhips, who thereupon gave ſome directions, but thoſe Lords who deſired to conceal them, knowing onely who the Authors were, though a formall Order was given for the enquiry, no further diſcovery was made, or any avowed Diſcourſe of it till this Declaration; It being then ſaid privately amongſt themſelves, *that the time was not yet come, that they might make uſe of that matter.*

This is too much to be ſaid, upon the occaſion of this moſt impoſſible Calumny and Scandall, which hath never, nor can make impreſſion upon any ſober honeſt underſtanding, except to beget a horreur againſt the Contrivers of it; And all true English hearts will ſo far reſent it, as to expreſſe a deteſtation of the Authours, who being drunk with the bloud they have ſpilt, and confounded with the ſenſe of their own wickedneſſe, have by this
laſt

last impotent Act, declared, that they are at the bottome of their malice ; and that by the just judgment of God, their wits are as near an end as their Allegiance ; and that they have no other stock left, but of despaire and madnesse, to carry them through their impious undertakings.

4. The next reproach is the businesse of *Rochel*, and Pag. 18.
that His Majesty let divers of *the Navy Royall, and other Merchant Ships to be imployed against those, whom he was engaged to have assisted* ; and the King's Letter to Captain *Penington*, which they say they can shew under his own hand, and *that hereby Rochel was betrayed*.

Though the age, quality, and education of most of those who consented to this Declaration will not admit a Supposition, that they knew much of the transaction of this matter, yet there are some amongst them, who might well have remembred, that there was only one Ship of the Navy Royall (*the Vanguard*) lent by His Majesty to the French King, and that the same was returned long *before Rochel was besieged*, and *neer if not full two years before it was rendred* ; and therefore it would not be very easie to prove, that it was lost (much lesse betrayed) by that Action, or that the Ships were imployed against *those, whom His Majesty was engaged to have assisted* ; But because much unskilfull discourse hath been of this Argument to the prejudice of the King, and many wel-meaning people have been too credulous in it, without considering that Actions of that nature *between* great Princes, are grounded upon deep reasons of State, above the apprehension of vulgar understandings ; and that the King upon this new alliance, having at the same time a Warre with *Spaine*, had great reason to gratifie *France* in all offices of friendship ; It may be worth the labour briefly to

set down the truth of that matter, and the proceedings thereupon.

About the time of His Majesties Marriage with the *Queen*, the *French King* had many designs upon *Italy*, and a particular difference and contest with the *States of Genoa*, and upon conclusion of that Treaty, and renewing the antient League and amity, confirmed & strengthened by this Marriage, His Majesty was content to lend the *Vanguard*, and to give licence that six or seven Merchant Ships might be hired (if the Owners were willing) to serve the *French King* in the *Mediterranean Sea*, and upon a precise promise, *that they should not be employed against those of the Religion in France*: Accordingly the *Vanguard* (and no other Vessell of the Navy Royall) was delivered, and the Merchants Ships likewise hired by the *French Agents*, with the full consent of the *Owners*, One of which (or one by their nomination) Commanded each Ship and carried the same into *France*, and there themselves delivered the Ships into the possession of the *French*.

After these Ships were thus engaged in the *French service*, and joyned to their *Fleet*, in which were 20 Ships of Warre likewise borrowed of the *Hollanders*, commanded by *Hauthaine* the Admirall, and *Dorpe* his Vice-Admirall, who it is very probable, nor their Masters, were privy, or consenting to that enterprize, and with which they were much superiour to those of the Religion, though the *English Ships* had been away, they fell upon the *Rochel Fleet*, and took and destroyed many of them; The King was no sooner informed of this, then he highly resented it by His Ambassadour, and the *French King* excused it upon those of the Religion, who, He Alleaged, had without cause, broken the peace; the *Duke of Subese* having

having when all was quiet, seized all the French Ships at *Blauet*, which very Ships made the best part of the Fleet he had now incountred and broken; And that the King of *England* ought to be sensible of the injury, the peace (thus broken) having been made and consented to by the French King, upon His Majesties earnest mediation and interposition; Notwithstanding which His Majesty justly incensed, that His Ships should be imployed contrary to His pleasure and the promise made to Him, immediatly required the restitution of His, and all the English Ships, the which was no sooner made, then to publish to the world how much He was displeased with that Action, He entred into Hostility with *France*, the chief ground of that quarrell being, that the English Ships had been imployed against those of the Religion, contrary to the expresse promise made that they should not be used against them, as appears as well by the *Manifest* of the Duke of *Buckingham*, dated 21 *July*, and printed since this Parliament, as by the *Records of State* of that time. Let the world now judge with what colour the losse of *Rochel* (which as is said before hapned not till neer or full two years after the return of the English Ships) can be imputed to the King.

Life of Lew.
is 13. p. 79.

5. The fifth Article, is, the designe of the *Germane-Horse, Loanes, Privy Scales, Coat and Conduet mony, Shipmony, and the many Monopolies*; all which, are particularly mentioned in the first *Remonstrance* of the House of Commons of the 15 of *December*, 1642. as the effects of evill Counsellours, and with a Protestation in that Petition which accompanied it to His Majesty, that it was without the least intention to lay a blemish upon His Majesties Royall Person, but only to represent how His Royall Authority and trust had been abused: And finding that the

Pag. 18.

Exact Col. p. 2.

Ex. Col. p. 193,
199.

vile language and aspersions which they cast upon the King were generally censured and ill spoken of, The Lords and Commons afterwards in their Declaration of the 19 of *May*, tell the people, *that if they should say that all the ill things done of late in His Majesties name have been done by Himself, they should neither follow the direction of the Law, nor the affection of their owne hearts*, which (they say) is as much as may be to clear His Majesty of all imputation of misgovernment, and to lay the fault upon His Ministers; and then finding fault with those, who make His Majesty the Authour of evill Counsels, they use these words, *We His Majesties loyall and dutifull Subjects, can use no other Stile, according to that Maxime of the Law, [The King can doe no wrong:] but if any ill be committed in matter of State, the Councell; if in matters of Justice, the Judges must answer for it*: So that if they would guide themselves either by the *good old*, or *their own new laws* (from which in truth they swerve no lesse, then from the other) they have themselves answered, and declared against this Article; but since that is not currant, examine the particulars.

The time when this designe is supposed to have been, was when His Majesty had a War with the two greatest Kings of Christendome, *France* and *Spaine*, and therefore if He had purposed to have drawn auxiliary Forces into His Service, it had been no wonder, nor more then all Princes use, yet in truth, there was never any designe to bring in *Germane Horse*, only in those unquiet times when the Kingdom was so much threatned from abroad, amongst other expedients, for strength and defence, such a proposition was made, or rather some discourse upon it, which the King rejected, and did never consent that it should be put in practice; and therefore it may seem strange,

strange, that this designe should be now objected against His Majesty, who alone refused and hindred it, and that *Balfore* and *Dalbiere*, (who were the principall, if not the only Projectors of it) should be in such high reputation and esteem with the Declarers.

The *Loanes*, *Privy Seales*, and other courses of raising Money were upon extraordinary, and immergent occasions, and of the same nature, that have been in all times practiced, upon reason and *necessity of State*; And *Monopolies* are weeds, that have alwaies grown in the fat soile which long peace and plenty makes, and of that kind they may find a larger Catalogue in their *Journall book* of the 43 year of Queen *Elizabeth* (a time that no sober man complains of) then in any time since, and which was not then, nor reasonably can be imputed to the Crowne, since new inventions have justly so great encouragements and priviledges by the Law, that if those Ministers, through whose hands such grants are to passe, are not very vigilant, it is not possible, but upon specious pretences, many things unwarrantable, of that nature, will have the countenance of the *Kings hand*; yet those particulars were no sooner complained of to His Ma^y, then He willingly applied the remedies w^{ch} were proposed; & before these *troubles* began, passed such *excellent laws* for the prevention of the like inconveniences for the future, that a better security cannot be provided: So that men must think *this Rebellion* to have been raised on the behalf of, not against those exorbitances, which without it, could never probably have been again exercised in this Kingdome.

And here the people cannot enough observe, and wonder, that these grievances should in this manner be objected against the King, who removed and abolished them,

in a time when, and by those, who have renewed and improved the same, and introduced new vexations upon His Subjects in an illimited manner, and intolerable proportion.

That, They should complain of a designe of bringing in *German Horse* to enslave us (which (if any such designs were) by the goodnesse of the King was frustrated and rejected) who have actually brought in an Army of all Rations upon us, and have no pretence of continuing it, but that they may subdue us, dissolve the Government of the Kingdome, and make us Slaves to their own passions and appetite.

Ex. Col. p. 763,
764, 765.

Coll. Ordin.
2 Vol. p. 173.

That, They should remember the King of *inforced Loanes, Privy Seales, Coat and Conduct mony*, who (since the same have been abrogated by Him) have by their Ordinance, compelled men to lend *the Fifth and the Twentieth part of their Estates* for the maintenance of their Armies; that *fifth* and *twentieth* part to be rated according to such proportion, as certain persons named by them shall *assesse*, and if any person shall refuse to pay the mony so assessed upon him, then Collectors shall *levy it by distresse*, and for want of distresse he shall be committed to prison, with such circumstances of severity and uncharitableness as were never exercised by any Royall Command.

Col. O. d. 2 vol.
p. 477, & 796.

That, They should complaine of the *ingrossing of Gunpowder*, in which His Majesty did nothing but what by His legall Prerogative He might do, who by their Ordinance of the 3 of *April*, 1644. for the *making of Salt-peter*, and by the other of the 7 of *Febr.* 1645. for *making Gunpowder*, have established all those clauses in His Majesties Commission of which there was any colour of complaint, to Projectors of their owne, with so much worse

worse circumstances, as the jurisdiction their Committees exercise (to whom appeals are to be made) is more grievous, chargeable, and insupportable, then that was of the Councell Table.

That, They should mention the *Patent of Wine*, which was to pay *forty Shillings* upon the Tun to His Majesty, when by the Ordinance of the 22 of *July*, 1643. they have laid an imposition upon it of *six pounds*, over and above all Customes, and by the Ordinance of the 9 of *October* following, have authorized the *Vintners* to sell it at as great, and some at greater prices, then was ever tolerated during the time of His Majesties imposition.

Lastly, (to omit the other particulars of *Salt, Allum, Tobacco*, and the rest, upon every one of which they have by their particular Ordinances laid much heavier taxes then was thought of in those times) that they should reproach the King with the Ship-mony (which by their own computation came not to above 200000*l.* by the year) as the *compendium of all oppression and slavery*, for which His Majesty had a *judgment* in a Court of Law, before all the Judges of *England*, and which was alwaies leavied by the due formes of Law, and which His Majesty, when He was informed of the injustice of it, frankly quitted; and did His best to pull it up by the roots, that no branch of it may hereafter grow up to the disquiet of His people, when themselves have almost ever since by that one Ordinance of the 1 of *March*, 1642. imposed a Weekly tax upon the Kingdome of *three and thirty thousand five hundred and eighteen pounds*, which in the year amounts to no lesse then *one million seven hundred forty two thousand nine hundred and odde pounds*, to which they have since added by their Ordinance of the 18 of *October*, 1644. for the relief of the *Brittish Army* in *Ireland* a Weekly tax upon the

Ex.Col.p.932.

the Kingdome of *three thousand eight hundred pounds*, which in the year comes to *one hundred ninety seven thousand six hundred & odde pounds* (as much as ever Ship money arose to) over and above *Free-quarter*, and all their other Orders for *Sequestration*, and *twentieth part*, and the cruell circumstances in the executing those and all other Ordinances, against the irregular doing whereof, they will allow no Appeal, to the Judges, though of their own making, but reserve the intire Connufance and direction to themselves.

It is pity that *parenthesis* of the Spanish Fleet with a great Army therein brought into the *Downes*, 1639. (of which out of their goodnesse, they say, they will say nothing) should receive no Answer; That having been often unskilfully spoken of, as it is now insinuated, as a designe against *England*, whereas they who know any thing, know, that Fleet was bound from *Spaine* to *Flanders*, with money to pay their Army, and new leaved Souldiers to recruit it, of which there was the greater number; because it was purposed to carry many old Soldiers from thence to *Catalonia*, but all those Souldiers in the Fleet were without Armes, and without Officers, and the Fleet so far from being provided for an invasion, that in a little Fight with the *Hollanders* before the winde brought them into the *Downes*, they had so near spent their Powder, that they had a supply for their money from *London*, which the King could not in honour and justice deny, the *Hollanders* themselves offering them what Powder they wanted for ready money.

6. Next follows the torture our bodies heretofore suffered by *whipping*, *cutting off Eares*, *Pillories*, and the like, with *close imprisonment*, aggravated with the *Dominion exercised over our Soules*, by *Oathes*, *Excommunications*,

tions, new Canons, &c. by which they would have it concluded that His Majesties Government was full of *cruelty and oppression.*

It is an undeniable evidence of the excellent Government, Sobriety, and obedience of that time, that there were not above six infamous persons, from the beginning of His Majesties Reigne, to the first day of this unhappy Parliament, who were publickly taken notice of to have merited those corporall punishments and shame; and of the mercy of that time, that those suffered no greater, there being not one of them who was not guilty of sedition to that degree, that by the Law they were liable to heavier judgments then they underwent: And for the Oathes, Excommunications, Ceremonies, and Canons, they were no other, and no otherwise exercised, then was agreeable to the Laws, and the Government established; Of and for which, the Sects, Schismes, and Heresies, the dissoluteness, profaneness and impiety, which have followed that since blessed Order hath bin discountenanced and suppressed, hath made a fuller and more sensible Vindication, then any discourse can doe.

And here the people will again take notice, that these Judgments and proceedings (which alwaies passed in due form of Law, in Courts of Justice, and in which no innocent man can pretend to have suffered) are objected against the King, by those, who without any colour of jurisdiction, but what themselves have assumed and usurped, in stead of inflicting any ordinary punishment, take away the lives of their fellow Subjects, who have not trespassed against any known Law, and imprison others, with such unusuall circumstances of restraint, cruelty, and inhumanity, that many persons of reputation, integrity and fortunes, being first robbed and spoiled of all

their Estates, for not conforming themselves to the wickedness of the time, have perished in prison, and very many of the same condition are like to doe so for want of such nourishment, as may satisfie nature ; and whosoever compares the good old Oaths formed and administred by lawful Authority, to every clause whereof the consciences of these very men have seemed fully to submit, with the Oathes and Covenants injoyed by themselves, will have reason to conclude mens Soules were never in so much danger of captivity, and that what the worst men underwent for their notorious crimes in the time of which they complain, was recreation and pleasure, to what all are now compelled to endure for being honest and conscientious men.

Pag. 19.

7. The long *intermission of Parliaments* is remembred, and that at the dissolution of some, *priviledges have been broken, and that followed with close imprisonment and death.*

That long intermission of Parliaments was graciously prevented and remedied for the future long before these troubles, by His Majesties consent to the Bill for *triennial Parliaments*, and the people would think themselves very happy, if they had no more cause to complain of the continuance of this, then of the former intermission, they having during those twelve years injoyed as great a measure of prosperity and plenty, as any people in any age have known, and an equall proportion of misery since the beginning of this: For *the breach of Priviledge, and imprisonment of Members*, the Lawes were open for all men to appeale and have recourse to, and that single person that died under restraint, suffered that restraint by a *Judgment* of the *Kings Bench*, so that if there were any injustice in the Case, it cannot be charged upon His Majesty.

8. The

8. The Scene is now removed into *Scotland*, and the *new Liturgy* and *Canons* with what succeeded thereupon makes up the next Charge, aggravated with the *Cancelling and burning the Articles of Pacification* which had been there made upon the mediation of the *Lords*. Pag. 19.

If the King had not been so tender of the *Act of Oblivion* in the Treaty of Pacification between the two Kingdomes, that he would not suffer any provocation to incline Him to ravell into that businesse, he might easily have freed Himself from all those calumnies and aspersions ; And it will be but justice and gratitude in that Nation, highly to resent, that whilst all guilty men shelter themselves under that *Act of Oblivion*, His Majesty (who is the only innocent and injured Person) should have His mouth stopped by it (which is His own expression and complaint in His Answer to the Declaration at *Newmarket*) from any Reply to the reproaches cast on Him in that matter ; otherwise He might easily have made it appear that that *Liturgy* and those *Canons* were regularly made and framed, and sent thither by the advice, or with the approbation of the Lords of the Councell of that Kingdom ; and if the putting them in practice and execution was pursued with more passion & impatience there, then in prudence & policy was agreeable, the error was wholly to be imputed to those Ministers of that Kingdom, who were most proper to be trusted in it ; however, that so generall a defection, and insurrection was not in any degree, justifiable or warrantable by the Laws of that Kingdom, is most certain, they having no visible Forme either of Parliament or King to countenance them, as the Army hath lately observed ; And that the Pacification first made by His Majesties mercy, and Christian desire to prevent the effusion of the blood of His Subjects, how ill
Ex. Col. p. 106.
Decl. and Papers of the Army, p. 39.

soever, was broken by them, and thereupon declined by the full advice of the Lords of His Councell, by whose unanimous advice the Articles were publickly burned, as may appear by the Record in the Councell Book of that transaction.

Page. 20.

9. In the next is remembred, *the calling and dissolving the short Parliament*, and the Kings proceeding after the dissolution.

That the calling that Parliament was an Act of the Kings great wilddome and goodnesse, was then justly and generally acknowledged, and that it was in His owne power to dissolve it when He thought fit, is as little doubted, but that He did unhappily for Himself, by false Information in matter of fact, and evill advice dissolve that Parliament, is believed by all men, and upon the matter confessed by Himself, and that that information and advice was most pernicious, and the rise of all the miseries we have since undergone, is not denied; and 'tis therefore the more wondred at, that the charge of that guilt being part of the impeachment against two great persons, whose bloud they have since drunk, that particular was declined in the prosecution of them both; and that though it be enough known by whose false information and instigation that unfortunate counsell was followed, extraordinary care hath been taken, that he should not be questioned for it, which, together with the excessive joy that the principall Actors in these late mischiefs expressed at that sad time, gives men reason to conclude, that it was contrived by those who have reaped the fruit and advantage of the error: What the King took from His Subjects by power, which He could not otherwise obtain, after that dissolution is not particularly set forth, and therefore it is very probable there was no ground for the

the calumny, nor indeed was any man a loser by any such Act of His Majesty.

10. Thus far the catalogue reaches of the Kings enormous crimes during the *first sixteen years of His Reigne to the beginning of this Parliament*, in which they confesse they proceeded with ease, as long as there was any hope, that they would *comply with His Majesty against the Scots*, and give assistance to that war; but when *He found that hope vaine*, and that they began to question the Authours of those pernicious Counsells, His Majesty discovered Himself so *strongly and passionately affected to malignant Counsellours, and their Conncells*, that He would sooner *desert and force the Parliament and Kingdome*, then alter His course, and deliver up His wicked Counsellours to Law and Justice.

There are not so many years expired since the beginning of this Parliament, (though it hath been a tedious age of misery and confusion) but that all mens memories will recollect and represent to them the folly and the falshood of this Charge: It is not imaginable that the King could expect after the beginning of this Parliament, that it would comply with Him and give Him assistance in a War against the *Scots*, when He plainly discover'd, that they who were like to be, and afterwards proved, the chief Leaders, and Directors in that Councell, were of the same party; and how far He was from sheltering any Counsellour or Servant from justice, or any colourable proceeding of the Law, is as well known: neither did He deny His royall assent to any one Bill, till after He was by force & Tumults driven from *White Hall*, and after he had indeed consented to whatsoever *could be honestly asked of Him for the security and benefit of the Kingdome*.

11. The *Queen* is too near His Majesty not to bear a Pag. 21.

part and a share with Him in these calumnies, and therefore *Her designe to advance Popery* is remembred, and Her observing a *Popish Fast*, with Secretary *Windebanks* going beyond Sea by *His Majesties Passe*, after He was questioned by the House of Commons.

What that designe of Her Majesty was for the advancement of Popery, is not particularly mentioned, and therefore no Answer can be given to it, and having expressed so much undutifulnes & malice to Her Majesty, throughout the whole course of their Rebellion, it is not probable they have concealed any thing they could lay to Her charge ; For the *Fast* observed by Her, it is well known that the time of it, was when the King was in the Field, and his Person liable to much danger, which piety and devotion was very agreeable to Her goodnesse and exemplar affection towards her Husband ; And the Kingdome would think it self abundantly blessed, if the *Fasts* since observed by these men had produced no worse effects, then that did, w^{ch} was observed by her M^{ty}, For *S. Windebanke*; the *House of Cōmons* had it in their power to have proceeded against him, & to have prevented his escape, he being in the House, and according to order withdrawn into the Committee Chamber, after the report was made, and after as much appeared against him, as was ever objected or discovered afterwards ; but the House, contrary to custome rose without proceeding upon it, and therefore His Majesty might very well give him leave to dispose of himself : And the truth is, they by whom the House was then guided, were best pleased with his absence, and purposely declined the proceeding against him, when he was in their hands, thinking it easier to procure his place for one of their principall Members to whom they had designed it, upon the advantage of his flight, then if he had
 itaid

staid to abide his Triall, which for many reasons they would not have thought fit to hasten, or to proceed in.

12. The Allegations of Commissions given to Popish Agents for private leavies (except they intend the Collections made amongst the Papists of money for the Kings expedition into the North, which was likewise amongst, and no lesse liberally complied with by the Lords of the Privy Counsell, and the other Protestants of the best quality throughout the Kingdom) or that the Papists began to rise and arme themselves in the North-west of *England* and *Wales*, the raising Soldiers under pretence for *Portugal*, and the seizing of the *Tower*, are so stale, vaine, and ridiculous, that (though upon the first contrivance of them, the same served the turn of the Contrivers, mens observation and knowledge having since informed them, that there was nothing like either of them) there needs no further Answer to them. Pag. 21.

13. The next Article is, the great Caball for *bringing up the Northerne Army to over-awe the Parliament*, the chief part of which they can prove (they say) to come from Himself to the *maine Actors*, though *the King did so often and solemnly dis-avow it*, as nothing but loose discourses of a modest Petition, *which also vanished two or three Months* (he saith) *before they knew of it*. Pag. 22.

They doe well to except against the Kings positive denying it, when they have onely their owne confident and positive affirming it for proof; but they had need suppress and burn all His Majesties Declarations and Answers, in which He hath abundantly satisfied the world in this particular, as well as they restrain His Person, and as they have concealed all those Depositions taken by themselves in this Argument, which would manifest clearly, that there was no such designe by His Majesty, so
they

they need recall all those they have already published, if they desire to have that designe believed.

Ex. Col. p. 107.

The King in His Answer to the Declaration, presented to Him at *Newmarket*, uses these words, *We cannot without great indignation, suffer Our self to be reproached, to have intended the least force or threatening to Our Parliament, as the being privy to the bringing up the Army, would imply, whereas We call God to witnes We never had any such thought, or knew of any such resolution concerning Our late Army*; And afterwards His Majesty in His Declaration of the 12 of *August* (a Declaration that never was offered to be Answered) at large set forth all He ever knew of that businesse, or which upon exact inquiry He could imagine to be in it, by which it plainly appears, *that some Officers of the Army, (of very good and confessed reputation for their affection to their Country) observing the strange Petitions every day presented to the House of Commons against the established Laws and Government of the Kingdome, and the unlawfull manner in the delivering those Petitions, by thousands of disorderly persons in Tumults, supposed, that a Petition of a most modest and dutifull nature from the whole Army, for the composing and settling all grievances in the Church and State by Law, might for the reason of it prevaile with the whole House, and coming from such a body, might confirm those, who might be shaken with any fears of power or force by the Tumults; and His Majesty being made acquainted with this proposition, gave his full approbation to it, which He had great reason to do, since as there was notable industry used to corrupt His Army, and to make it applicable to the ill purposes then resolved on; so pains was taken to perswade the people, that it was in truth very indevoted to the King, and ready to serve the*
Parliament

Ex. Col. p. 524.

Parliament any way it should direct; And (as His Majesty saies) if in the managery of this debate, any rash discourſes hapned of bringing up the Army, it is evident whether they were proposed in earnest or no, that they were never entertained, and the whole matter was laid aside, above two Months before any discovery, so that that danger was never prevented by the power or wisdom of Parliament.

It appears by the evidence and Depositions published by themselves, by the *Order* of the 19 of May, 1642. together with that *Declaration*, that *this dangerous Plot began without the least privy of the Kings, upon some Officers taking offence & dis-like, that of fifty thousand pounds Ordred for payment of the Kings Army, ten thousand pounds was taken by an after Order out of that summe to satisfy a new motion and importunity from the Scots*: and that those Officers upon that distast discourſed, that they were disobliged by the Parliament, and not by the King, and thereupon concluded to tender their Services to His Ma^{ty} in all things *honourable and agreeable to the fundamentall Laws of the Kingdome*; That in debates afterwards together, mention was made of *bringing up the Army to London, and making sure the Tower*; and as soon rejected, as proposed; *and onely proposed* (as their evidence saies) *to shew the vanity and danger of other Propositions*: And that when the King was made acquainted with it, He said, *those waies were vain and foolish, and that they should think of them no more.*

Ex.Col.p. 213.

Pag. 217.

Pag. 219.

That the Petition it self, which His Majesty approved, was not above the size of Petitions, and very much modester then any one Petition received by the Authors of this Declaration with approbation, appears by the Petition it self to be read in the 563 pag. of the 1 vol. of the

Collect. of Ord. published by themselves, which being directed to the two Houses, as well as to the King, took notice of the seditious Tumults, which they said, *had beset the Parliament and White-Hall it self, not onely to the prejudice of that freedome, which is necessary to great Councells and Fudicatories, but possibly to some personall danger of His sacred Majesty and Peers*, and therefore desired that the Ring-leaders of those Tumults might be punished, and that His Majesty and the Parliament might be secured from such insolencies hereafter; for the suppressing of which *they offered themselves to wait on them*, if they pleased, which hath not been since *thought so unnaturall a security, an Army being since called up and kept about them, upon the same pretences*, to the same purpose, of which more must be said anon: And for the strangeness suggested, that three Gentlemen should flee beyond Sea upon discovery of a modest Petition, it is no wonder, when men were every day imprisoned, ruined, and destroyed upon the most triviall discoveries, and unreasonable conjectures and apprehensions, that men desired to avoid their Judgment, (who had it in their power to put what interpretation they pleased upon any discovery, and to inflict what punishment they thought fit upon such interpretation) or that the King contributed His allowance to remove His Servants from such a Tribunall.

It is a wonderfull presumption these men have upon the credulity of the people, that they will not examine the truth of any thing they alleage, how easie soever it is to disprove them; otherwise they would not affirme that at the meeting of Officers at *Burrough-Bridge*, Propositions were made, and private instructions brought from the King, whereas it appears, by their own evidence, that Capt. *Chudleigh*, who is supposed to have brought those

Propo-

Propositions thither (and what they were, appears not) did not receive those Propositions *from the King* ; and Ex. Col. p. 223. that when he kissed the Kings hand, *His Majesty spake not a word to him of those Propositions*, which without doubt He would have done, if He had been privy to, or expected any thing from His agitation, it being not alleaged that there was any other Officer of the Army at that time so immediatly imployed or trusted in that Agitation : And as there hath not been the least colourable evidence in any of the Depositions then or since published, which can reflect upon the King ; And as there is much in Master *Goring's* second Examination, and other Depositions, suppressed by them, which if produced, would manifest that there was never any such designe, as is suggested ; *and that to the very Communication concerning it, the King was not any way privy, and dis-liked it when he heard of it.* So it was observed then, and not a little wondered at, that Capt. *Chudleigh*, who was the principall Ex. Col. p. 220. person imployed, and who confesses in his Examination of the 10 of *May*, that he used all his power to incense the Army against the Parliament ; and to kindle a zeale in them towards the King, was so far from being in disfavour with them, that he was immediately imployed by them into *Ireland*, and afterwards re-called thence, and trusted in the second, if not the first Command in the *West* against the King, which they would not have done, if he had been in that manner first engaged by His Majesty.

For the discourse of the Prince his meeting the Army, with the Earle of *Newcastle* and a body of Horse, it is proved to be by a private *Major* in the Army, who had not Ex. Col. p. 222. only any relation to the King, but at that time had never spoken word with *His Majesty* in his life, and had no more

ground, then the other of the designe, for some *French* to seize on *Portsmouth*, which is so ridiculous, that it needs no other Answer then repeating it.

Page 23.

14. The Offers made to the *Scots* of the plunder of *London*, if they would advance, or of four Northerne Counties, with three hundred thousand pounds or *Jewels* of great value, but to stand *Newters* in that designe, is another impossible branch of this Charge, for which there appears not the least pretence of proof in any thing published by them, (and they have not been tender of publishing all they know, or imagined) but that Master *Oneale* asked Sir *Jacob Ashly*, what if the *Scots* could be made *Newtrall*? It is not imaginable that the King knew not the temper of that time, (which he so grievously felt) well enough, to conclude that the Parliament and the *Scots* were too fast combined, to be sever'd for any interest of his; and the offer of four Northern Counties, (a thing so confessedly out of the King's power to give) is so senseless a calumny, that no man, out of the highest fit of madness can believe it, and they to whom this Offer is supposed to be made, would in all this time have accused the King of it, if they had been able to justify any thing like it.

However it is to be observed, that though these men hold these imaginable overtures and designs to be very heinous crimes in the King, they reckon the reducing such designs into reall and compleat execution, no Offences in themselves; and that though the King may not wish His Subjects of *Scotland* to stand *newters* in the differences between His Majesty and His English people, yet it is no fault in them to engage that Nation to assist them in Armes against the Sovereigne of both Kingdomes; and though a cursory discourse by other men of
bringing

bringing up the Army to awe the Parliament, be alleaged as a breach of trust against the King never to be forgotten, yet the actuall bringing up an Army upon them, and thereby awing it so far, as the driving away many Members, and making those who remained do any thing that Army directs, is no offence in them, either against the freedome or priviledge of Parliament.

To that clause His Majesty not being perswaded by their Petitions to defer His journey into *Scotland*; in the year 1641. there needs no Answer, then the remembring His Majesties owne words in His Declaration of the 12. of *August*, which are these: *We gave them warning that if there were any more good Bills, which they desired might passe for the benefit of Our Subjects, We wished they might be made ready against such a time, when We resolved, according to Our promise to Our Scotch Subjects (with which they were well acquainted) to repair into Our Kingdome of Scotland, to settle the unhappy differences there; Upon this We were earnestly desired by both Our Houses of Parliament to defer Our journey thither, as well upon pretence of the danger, if both Armies were not first Disbanded, as that they had many good Lawes in readinesse for the settling of differences here, We were by their intreaty perswaded to defer Our journey to a day agreed on by themselves, &c.* Which relation at large of what followed, may satisfie all men of His Majesties extraordinary compliyan; and when He went, He left such a Commission behind him, as was agreeable to Law, and sufficient to prevent any inconveniences which might arise in His absence; whereas, That desired by them (being to consent to all Acts they should passe before He returned) was so monstrous, illegall, and unheard-of, that they were themselves ashamed to presse it farther, and rested satisfied, with that which His Ma-

Ex.Col.p.525.

jesty granted ; nor does it appeare that there was in any time before, any issued out by the means of Secretary *Windebanke* of a larger extent ; or that was not agreeable to Law, and the policy of that time.

Pa. 24.

15. Now succeeds the high Charge of the businesse of *Ireland*, as if they hoped to perswade the people, that the King is accessary to a Treason and Rebellion against Himself ; and that in a time when there were so great distractions in two of His Kingdoms, He should Himself put the third into a flame, that so He might have none to help Him, to quench the fire that was kindled in the other; the particulars out of which this grand Charge is compounded shall be severally examined.

They who have used no kind of conscience or civility in the publishing all Letters of His Majesties, (by what ill means soever the same have come into their hands) which they imagined might by the simplicity and weakness of the people, or the most malicious glosses and interpretations they could put upon them, beget any prejudice to His Majesty, cannot be imagined now to conceale any thing that would contribute to their purpose, and therefore their not publishing those Letters, which they say the King sent into *Ireland* by the Lord *Dillon*, immediately before the Rebellion, is argument sufficient, that either there were no such Letters, or nothing in them, which can in any sense reflect upon His Majesty ; nor can it find credit with any (not maliciously and stupidly sottish) that after so many reiterated infusions into the people by their severall Declarations that the Rebels of *Ireland* avowed, that they had a Commission under the great Seale of *England* for what they did ; It is now inverted into a Commission under the great Seale of *Scotland*, Sealed at *Edenburgh* when the King was last there ;
when

when it is knowne He could no more have affixed that Seale (in whose hands soever it was) to any such Instrument, (if He had had the will, which no Christian believes He had) then He can now dispose of that at *London*, of which Commission, the world should long since have been informed by the *Scots*, if they could have found a probable ground for the Suggestion: And surely these men would have published the Depositions of those, who (they say) have seen it, if they had believed them such, as would find credit amongst men.

What was promised to the *Irish* Committee at *London*, is like to be much better known to the Authours of this *Declaration*, then to His Majesty, the greater part whereof being Papists, and since Active Rebels, having during their stay in *London*, so great an interest in the powerfull and active Members there, that they were able to prevaile with them to interpose in the affairs of that Kingdome in such manner as they desired; and very probably then laid the foundation, and designe of their future Rebellion, upon the principles they then saw introduced and countenanced here: By the earnest advice, and importunate interposition of some of those principall Members, they prevailed, that after the death of the Lord Deputy *Wansford*, no such person might be appointed temporarily to succeed, as was like by his power and vigilance to prevent the wickednesse they intended; and if the King gave away, or promised them more then five Counties, it was not upon their private mediation, but their publique addresse according to their instructions from the Parliament, after the House of Commons had made the recovery of, and intitling His Majesty to those Counties, a particular Article of their Impeachment against the Earle of *Strafford*, and so blemished His Majesties

ties just and legall interest, and what His Majesty did thereupon, was by the full and deliberate advice of His Councell Board, according to usuall forms observed in the affairs of that Kingdome: It is very probable that His Majesty might think Himself at that time oppressed by the two Houses of Parliament, as He had great cause, but that He should expresse so much, and wish that He could be revenged on them, to, or before that Committee, whom at that time He had reason to believe to be combined with the other, is more then very unlikely.

The not Disbanding the *Irish Army* is next remembered, and indeed ought not to be forgotten; the not seasonably disposing that body, giving (no doubt) a great rise, and contributing much to the Rebellion, that shortly after brake out; but where the fault of that was, is as evident.

That Army was justly and prudently raised, when the intention in *Scotland* was clearly known to invade *England*, and with a purpose to restraine or divert that expedition, and if need were, to reduce that Kingdome to their Allegiance, which was the sense, and could be no other of those words charged upon the Earl of *Strafford*, if any such words were spoken: And after the *Scots Army* was entred *England*, it was no wonder if the King were not forward to Disband that Army, till He could discerne that the other did in truth intend to return, and He no sooner was confident of the one, then He resolved the other; but then He wisely considered that the Disbanding such a body at that time, when so much licence was transplanted out of this, into that Kingdome, was not so like to contribute to the peace of it, as the transporting them; and therefore His Majesty agreed with the *Spanish Ambassadour*, that he should have leave to transport

port three or four thousand of them for his Masters service, which was no sooner known, but the *Irish Committee* then at *London* (who, it may be, had otherwise design'd the service of those men) prevailed with the House of Commons to interpose, and hinder the execution of that Agreement, who (principally, upon consideration of the umbrage the Crowne of *France* might take at such an assistance given to *Spaine*) pressed the King to revoke that grant, and to consent to the Disbanding; That objection was easily answered by His Majesty, having agreed likewise with the *French Ambassadour*, that the like number should be likewise transported for *France*, whereby the whole Army, would have been disposed of; against which the *Irish Committee* more pressed then against the other, alleaging that there were not men in that Kingdome to spare: whereupon, the House of Commons (by their private Agents) prevailed with the *French Ambassadour* (who more desired to hinder the supply for *Spaine*, then to procure the like for his Master, and it may be, to see the King controlled by the Parliament then either of the other) to release the King of His promise to him, so that they would prevent the *Spaniard's* having any men; And thereupon they re-inforced their importunity to the King for the present Disbanding, and not sending any of that Army out of *Ireland* in such a manner, as His Majesty was forced to yeild to it; and thereby (no question) much was contributed to the opportunity and disposition of rebelling; and to whose account that advantage is to be put, all the world may judge: yet it may be fit to observe, that of that *Irish Army* (which these men would have believed to be no lesse then a *Stratagem* against the Protestant Religion) not one Officer above the quality of Captaine, and not above two of

that condition, have served in that Rebellion in *Ireland* against the King.

Ex.Col.p.237.

In all Rebellions the chief Authors and Contrivers of it have made all fair pretences, and entred into such specious *Oaths*, as were most like to seduce and corrupt the people to joyne with them, and to put the fairest glosse upon their fouleest combination and conspiracy, and therefore it is no wonder, if the Rebels in *Ireland* framed an *Oath* by which they would be thought to oblige themselves to bear true Faith and Allegiance to King *Charles*, and by all meanes to maintain His Royall Prerogative, at a time when they intended nothing lesse; And *Owen Connelly* (who was the first happy discoverer of that Rebellion) in the same Deposition, in which he saies *the Rebels would pay the King all His Rights*, saies likewise, that they said, *they took that course to imitate Scotland, who got a priviledge by it*: and *Marke Paget* in the same Examination, in which he saies, that *the Rebels report that they have the Kings Warrant and great Seale for what they doe*; saies likewise, *that they threaten, that as soon as they have rooted out the Brittish and English there, to invade England, and to assist the Papists in England*: and therefore it is a wonderfull thing, that what they sweare, or what they say, should be imputed to Him, against whom they have rebelled and forsworn themselves. The Authors of this Declaration have (besides their Oaths of *Allegiance* and *Supremacy*) in the *Protestation* of the 5. of *May*, sworn, that *they would maintaine and defend the Kings royall Person, honour, and estate*; and shortly after would perswade the people, that *they were by that very Protestation obliged to take up Armes against Him*; in their Declaration of the 19. of *May*, they used these words,

Ex.Col.p.195. *The providing for the publique peace and prosperity of His Majesty*

Majesty and all His Realmes, we protest in the presence of the all-seeing Deity, to have been, and still to be the only end of all our Counsells, and endeavours, wherein we have resolved to continue freed and enlarged from all private aymes, personall respects, or passions whatsoever: and the very next day Voted, that He intended to make War against His Parliament, and that whosoever should serve or assist Him were Traytors by the fundamentall Laws of the Kingdome, and (upon that conclusion of His intention) actually leaved an Army, and marched against him. Pag. 259.

In their Petition of the 2. of June, they tell him, that they have nothing in their thoughts, and desires, more pretious and of higher esteeme (next to the honour and immediate service of God) then the just and faithfull performance of their duty to His Majesty, and together with that Petition, present the 19. Propositions to Him, by which they leave Him not so much power in His Kingdome, as the meanest Member of either House reserves to himself. Ex. Col. p. 307.

Lastly, (to omit infinite other instances) in their Instructions of the 18. of August to the Deputy Lieutenants of Cheshire, they required them to declare unto all men, that it had been, and still should be, the care and endeavour of both Houses of Parliament to provide for His Majesty, That they doe not, nor ever did know of any evill intended to His Majesties Person, when the only businesse and end of those directions and instructions were to raise that whole County against Him; So that this clause of the Rebels Oath in Ireland, is no more to be objected against the King, then those other clauses in their own Oaths and Declarations, which they have not yet charged His Majesty withall. Ex. Col. p. 572.

Concerning the Proclamation against the Rebels in Ireland, which they say, they could not obtaine in divers
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Months,

Ex. Col. p. 247.

Months, and then that but 40 Copies were printed, and expresse Order given that none should be published till further directions: hear His Maj. own full Answer to that Charge in His Answer to the Declaration of the 19. of May, in these words, 'Tis well known that we were, when that Rebellion brake forth, in Scotland, That We immediatly from thence recommended the care of that businesse to both Houses of Parliament here, after We had provided for all fitting supplies from Our Kingdome of Scotland, that after Our returne hither, We observed all those formes for that service; which We were advised to by Our Councill of Ireland, or both Houses of Parliament here; and if no Proclamation issued out sooner, it was because the Lords Justices of that Kingdome desired them no sooner; and when they did, the number they desired was but Twenty, which they advised might be Signed by us, which we for expedition of the service commanded to be printed (a circumstance not required by them) and thereupon signed more then they desired: So that it is an impudent Assertion, that they could not obtain a Proclamation in divers Months, when they never so much as desired or moved it; and it was no sooner moved to the King, but He gave Order in it the same Houre.

But it will not be amisse, (since this particular hath bin with so much confidence, and so often unreasonably objected against His Majesty) to speak somewhat of the custome and order usually observed in sending Proclamations into that Kingdome, and of the reason why so many, and no more were at that time sent: except upon any extraordinary reasons, the King never signes more then the first draught of the Proclamation, fairly ingrossed in parchment, which being sent to the Lord Deputy, or Lords Justices in Ireland, is there printed, and the printed

ted Copies dispersed, as they are in *England*; His Majesties *signe Manuall* being not to any of those Copies: The *Lords Justices and Councell*, taking notice of the rumour industriously spread amongst the *Rebels* that *they had the Kings authority for what they did*, which might get credit amongst some; desired, that *they might have twenty Proclamations sent over signed by the King's signe Manuall, to the end, that besides the printed Copies, which they would disperse according to custome, they might be able to send an Originall with the King's hand to it, to those considerable persons, whom they might suspect to be misled by that false rumour, who when they saw the King's very hand, would be without excuse if they persisted*: This Letter and desire from the *Lords Justices and Councell*, was communicated at the *Council Board*, and the resolution there taken; that *they should have double the number they desired, signed by the King*; and because the ingrossing so many Copies would take up more time, directions were given for the printing *forty Copies*, all which were signed by *His Majesty*, and with all possible speed dispatched into *Ireland*; and the caution that there should be no more printed, then were sent away thither, was very necessary, lest the *Rebels*, by having notice of it, should find some device, to evade the end, for which they were sent, and be prepared to defend their old, or raise some new scandal upon *His Majesty*; besides that there was no imaginable reason, why any more should at that time be printed in *London*.

What was written from Court to the Lord *Muskery*, that *His Majesty* was well pleased with what He did, cannot reflect upon *His Majesty*, nor had the person who is supposed to have written such a Letter (whom they have in former Declarations declared to be the Lord *Dillon*;

& who expressly denied the ever writing any such Letter) any place or relation at Court, and the King had good reason long after to write to the *Marquesse of Ormond* to give particular thanks to *Muskery* and *Punket*, They having bin both at *Oxford*, employed by the *Irish* to His Majesty during the *Cessation*, and having made there such professions of their endeavours to reduce the other to reason, as might merit His Majesties thank and acknowledgment, which His Majesty hath been as forward to give to such of the Rebels here, as have expressed any moderation or inclination to return to their obedience, and yet He was never well pleased with what they have done, nor can give them thanks for it.

Ex. Col. p. 144.

For the *delaying and detaining the Earle of Leicester*, beyond all pretence from going against the Rebels, it is wel known how often his Majesty pressed the Houses, that he might be dispatched and sent away, and that it was one of the reasons, which His Majesty gave in His Answer to the Petition of both Houses of the 28. of *April*, of *His resolution to go in Person into Ireland*, because the *Lord Lieutenant on whom He relied principally for the Conduct and managing of affairs there*, was still in this Kingdom notwithstanding His earnestnesse expressed, that He should repair to his Command; after which, it was neer three Months before any preparation was made for his journey, and then about the end of *July* or beginning of *August* his Lordship came to the King at *Yorke*, to receive his instructions, pretending to have his dispatch so fully from the two Houses, that he would return no more thither, but as soon as he could have His Majesties Command, he would immediately to *Chester*, and imbarke; This being about the time that the King was preparing Forces for His defence against the Earle of *Essex*; the
Earle

Earle was detained about a Month before he could receive his *instructions*, and all those dispatches that were necessary, and then he took his leave of His Majesty, with profession of going directly to *Chester*, but either by command or inclination, that purpose was quickly altered, and his Lordship returned to *London*, where he was detained full two Months longer, and then was Comanded expressly by the Houses to repair to *Chester*, and not to wait on the King in his way, though His Majesty being then at *Oxford*, he could not avoid performing that duty, but by avoiding the ordinary road; when the King heard of his being at *Chester*, where he expected the Ships that were to transport him above three Weeks, and that there was no other force in readiness to be sent with him, but his own retinue, those Regiments of Foot and Troups of Horse which had been raised for that Service having been employed against His Majesty at *Edge-hill*, and being still kept as a part of the *Earle of Essex* his Army, and that there were none of those provisions or mony to be now sent over, which had been importunately desired by the Councill of that Kingdome, His Majesty considered that the Rebels, having been kept in some awe, with the apprehension of the Lord Lieutenant's coming over with all such supplies as were necessary to carry on the War, (the assurance whereof had likewise kept up the spirits of the Protestants there) if he should now arrive there in so private a manner, without any addition of a strength, or provision for the supply of that strength that was there, it would bring at the same time the greatest affliction, and dis-heartning to his Protestant Subjects that could be imagined, and an equall encouragement to the Rebels, and therefore His Majesty sent for him to *Oxford*, till he might receive better satisfaction from the Houses

Houses concerning their preparations for that Kingdom : So that by whom the Earle of *Leicester* was delaied and detained, the world may judge.

The Kings refusall of a Commission for the Lord Brooke and Lord Wharton, hath been long since Answered by *His Majesty*, the truth of which Answer was never yet denied, or replied to ; That *the Forces to be under their Command*, were raised before *His Majesties Commission* was so much as desired ; And then the Commission that was desired, should have been independent upon *His Majesties Lieutenant of that Kingdome*, and therefore *His Majesty* had great reason not to consent to it : And how reasonably those persons were to be trusted with such a Command, may be judged, by their bringing those very Forces which were raised for the relief of the poor Protestants of *Ireland*, against the Rebels there, to fight against the King at *Edge-hill* within a very short time after those Commissions were desired.

They say they have long since named divers Papists and persons of quality, that by the Kings speciall Warrants after the Ports were shut by both Houses of Parliament passed hence, and headed the Rebels, when they wanted Commanders ; Examine the truth of this, which all men who will take the pains may be judges of.

His Majesty taking notice of the effect of this Charge, to be spoken by Master *Pim* at a Conference with the Lords about the beginning of *February*, 1641. (the Speech being printed) by His Message of the 7. of that Month to the House of Commons, required to know whether such a thing had been said, and if so, upon what ground, *His Majesty* being sure He had used all caution in the granting of Passe-ports into *Ireland*.

The Commons answered, *that the Speech delivered by*
Mr. Pim

Mr. Pim, was agreeable to the sense of the House, and that they had received divers advertisements concerning severall persons who had obtained His Majesties immediate Warrant for the passing into Ireland, since the Order of restraint of both Houses; some of which, as they had been informed, since their comming into Ireland, had joyned with the Rebels, and been Commanders amongst them, and some others had been staid, and were yet in safe custody, the Names of whom they set downe, being all in custody, and said the particular Names of others they had not yet received, but doubted not, but upon examination they might be discovered: But they said they believed it was by the procurement of some evill Instruments too near His royall Person, without His Majesties knowledge, and intentions.

The King hereupon replied, *That the persons named to* Pag. 71.
be under restraint, made not good the assertion in that speech; besides that, their Passes were granted by His Majesty at His being in Scotland, long before the restraint, and being persons of whose good affections there was then no suspection; and that he was most assured that no such person as was comprehended under that Charge had passed by His Warrant or privy: and then He desired His House of Commons to consider whether such a generall information and advertisement (in which there was not so much as the Name of any particular person mentioned) be ground enough for such a direct and positive affirmation, as was made in that Speech, which in respect of the place and person, and being acknowledged to be agreeable to the sense of the House, was of that authority, that His Majesty might suffer in the affections of many of His good Subjects, and fall under a possible construction (considering many scandalous Pamphlets to such a purpose) of not being sensible enough of that Rebellion, so horrid and odious

to all Christians, by which in this distraction, such a danger might possibly insue to His Majesties Person and Estate, as He was well assured his House of Commons would use their utmost endeavours to prevent; and therefore *His Majesty* said, *He expected that they should name those persons*, who by his Licence had passed into *Ireland*, and were there in the head of the Rebels; or that if upon their examination they did not find particular evidence to prove that aspersions (as *His Majesty* was confident they never could) as that affirmation which did reflect upon *His Majesty* was very publick; so they would publish such a Declaration whereby that mistake might be discovered, *His Majesty* being most tender in that particular, which had reference to *Ireland*, as being most assured, that he had been and was from his Soule resolved to discharge his duty (which God would require at his hands) for the relief of his poore Protestant Subjects there, and the utter rooting out that Rebellion.

Ex. Col. p. 117. It was above a Month before the King could receive any other Answer from them, and then they said, *that they had affirmed nothing, but what they had cause to believe was true*, and presented some of their grounds to *His Majesty*; one of which was, *that those Licences granted to the persons under restraint were apt to produce such an effect as was mentioned in that positive affirmation*; and another ground was, *that His Majesty could not be assured, that no other did passe upon his Licence, and they had cause to believe, that some did, because they received such generall Information*: which reasons (with some other of the same kind) they said, they hoped would be sufficient to persuade *His Majesty* to believe, that as they had some cause to give credit to the said Informations, so they had no intention to make any ill use of them to *His Majesties dishonour*,

honour, but did impute the blame to his Ministers.

The King replied again to that Message, *That there* Pa. 18.
was nothing yet declared, that would be a ground for what
Mr. Pim had so boldly affirmed, for yet there was not any
particular person named, that was so much as in rebellion,
much lesse in the head of the Rebels to whom His Majesty had
given Licence, and therefore He expected, that the House
of Commons should publish such a Declaration, whereby that
mistake might be cleared.

Since that time to the houre of the publishing this Declaration, they have never made the least addresse, or given the least information or satisfaction to *His Majesty* in that particular, which they then said *they had no intention to make use of to his dis-honour*; so that this last presumption could proceed only from a confidence that the people would believe what they said, not examine the truth of it.

What they mean by *the Commanders and Officers, whom the King* (they say) *called off from their trust against the Rebels; and Ships from their guards at Sea, that so the Rebels might be supplied with forain aides*, is not understood, except by the Ships they meane those under the command of Captain Kittleby, and Captaine Stradling, who then attended the Irish Coast, when all *His Majesties Fleet* was seized by the the two Houses, and imployed against Him, and whom *His Majesty* upon that occasion, and confidence of the Loyalty of the Commanders, required to attend Him with their Ships about *Newcastle*, or the North of *England*, that He might have two of his owne Ships at his disposall, and at the same time (that any inconvenience might be prevented by the comming of supply to the Rebels) *His Majesty* gave notice to the two Houses of his command in that particular, and required

quired them to take care for the guarding of that Coast, which they altogether neglected; notwithstanding that they found meanes likewise to seize those two Ships, which *His Majesty* hoped He should have been possessed of.

Nor is it better understood what they mean by *supplies from the Earle of Antrim and Lord Aboyne, or of Armes and Ammunition from the King's Magazines, or from the Queen*, which no sober man believes, or of which no evidence or instance hath so much as been offered: Some few Suits of clothes in the beginning of the War were taken by the Kings Souldiers about *Coventry*, when that City was in open Rebellion, which they pretended were prepared for *Ireland*, and which *His Majesty* did what could be done to cause to be restored, but it was not possible, and was apparently their fault, that would not send for a safe conduct, when they were to passe through *His Majesties Quarters*.

Ex.Col.p.680. And how far the King was from consenting to, or approving that Action, appears by *His Majesties* expresse Command (which was executed accordingly) for the transporting into *Ireland* of three thousand Suites of cloths, which He found provided for that Service at *Chester*, after *His Majesty* was possessed of that City, and which had been neglected to be sent, and which no necessity of His own Army could prevaile with Him to seize; or divert from that necessary use for which they were provided.

His Mary never denied any *Pieces of Battery* desired by the *Councill of Ireland*, nor is there the least colour to affirm the same; what directions the Rebels give in their Letters of Mart, or whether they gave any such directions as are alleaged, is no way materiall as to *His Majesty*; and for

for Officers and Commanders, who left their trust against the Rebels, it is sufficiently known, that the Earle of *Leven*, who by *His Majesties* consent was sent Generall of the *Scots* into *Ireland* against the Rebels, was called from thence to lead an Army into *England* against *His Majesty* ; and when the King's Commissioners at the Treaty at *Uxbridge* alleaged and complained, that many Officers both *Scots* and *English* had in the beginning of that War left that Service, and been entertained by the two Houses against the King, all the Answer they could receive was, *That they were not sent for.*

This being the case (as without any possibility of contradiction it is) these Gentlemen had no more reason to believe the Rebels, when they did so often swear they did nothing without good authority and Commission from the King, then the Rebels had to believe them, when they swore on the 22. of *October*, 1642. *That no private passion or respect, no evill intention to His Majesties person, nor designe to the prejudice of His just honour and authority, engaged them to raise Forces,* and the next day gave *His Majesty* battle at *Edge-hill* : Nor is it more materiall, that *Sir Phelim Oneale* would not be perswaded, that Generall *Lasly* had any authority from the King against the Rebels, then that these Gentlemen should be perswaded in the same houre to believe that an Army should be raised for the safety of the King's person, and to sweare that they would live and die with the Earl of *Essex*, whom they nominated Generall to lead that Army against the King. Ex.Col.p.663.

What information was given divers Months before to the *Archbishop*, and others of the Kings Council, of a designe amongst the *Papists* for a generall Massacre of all the *Protestants* in *Ireland* and *England*, &c. is no objection

against the King, and as the Archbishop was imprisoned divers Months before that Rebellion brake out, so it is not like, if they had been able to have charged Him with any concealment, that they would have forborn accusing him with it at his Triall, when they so much wanted evidence against him, that they were faine to make his Chaplains not licencing such Books against Popery, as they thought did discredit the Protestant cause, an Argument of his Treason; and they would likewise now have named the others of the King's Counsell, if they could have alleaged any matter, that could have reflected upon them or their Master.

Next follows a huddle of the *Kings Letters to the Pope*, when he was in *Spaine*, and of others since on the behalfe of the *Duke of Lorraine*, and of the *King's having an Agent at Rome* (which it is knowne he never had) some Months before the Irish Rebellion: all which are so obscurely mentioned, and so ridiculous, as to any charge against the King, that they are not worthy any Answer; yet because (how impertinently soever) by the licence of these times, much hath been scandalously discoursed of a Letter written by the King, when he was Prince, and in *Spaine*, to the Pope, and such a Letter translated & printed, out of a Copy published in the French Mercury, it may not be amisse to say somewhat of that businesse.

The Prince being by the command of his Father sent into *Spaine*, to conclude a Marriage with the Daughter of that Crowne, which had been long treated of, could not but be obliged, whilst he was there, to perform all Ceremonies which were requisite to the compassing the businesse he went about; The Kingdome where he was, had a fast friendship with *Rome*, and such a kind of dependence, that a dispensation from thence was thought necessary

necessary by the wisdom of that State to the marriage in treaty, towards the procuring whereof, though the Prince would not contribute the least application of his owne, yet he was not reasonably to do any thing, which might make that dispensation the more difficult to be procured ; The Pope that then was, writ a Letter to the Prince, which was delivered to his Highnesse, by his Minister there resident ; It was a Letter of respect, and in the interpretation of that State, of great kindnesse ; and it would have been thought a very unseasonable neglect, if the Prince had vouchsafed it no Answer : on the other hand, it was easier to resolve, that it was fit to write, then what ; in the mean time, they who were officious that it might be done, prepared the draught of a Letter, and brought it to him ; the which, when his Highnesse had perused with his own hand, he expunged those clauses, which might seem to reflect upon the Religion which he professed, and having so altered and mended it, he caused it to be sent to the Pope ; Copies of the first draught were spread abroad, by which that was inserted in the French Mercury, (which is so carefully translated and printed, and dispersed these late ill years) and now is given in evidence against *His Majesty* : But admitting it were the same, and that the Prince being in a forain Kingdom, (with the policy whereof he was then to comply) had written that very Letter, which is printed, with what colour of reason can any man make that an Argument of his inclination to Popery, who at that time, and ever since hath given the greatest testimony of his affection to the Protestant Religion, that any Prince or private person hath done ? The Authours of this Declaration, would not think it just, that from their very loving Letters to the *Bashaw at Argyers*, and his to them, in
which

which *He thanks God that the Agent of the Parliament of England is come thither to make a peace and love betwixt them to the end of the world*, as appears by the relation of that businesse fol. 15. published by their authority, and from the amity with them, to that Degree, that they have given the Turkes men-of-war the freedome of their Harbours, men should conclude, that they are resolved to turn Turkes, and yet such a conclusion will more naturally result from those Letters, and that strict correspondence, then of the King's affection to Popery from that Letter to the Pope.

It is said that the same designe was laid in *England* at the same time, and that many thousands were appointed to cut the Protestants throats in this Kingdom also, when the King went into *Scotland*, and that it was confessed by some of the principall Rebels, that their Popish Committee with the King, had communicated that designe with many Papists in *England*, by whose advice (though some things were altered, yet) it was generally concluded, that about the same time, there should be the like proceedings of the Papists here; all which if true, (as no sober man believes it to be) does no way reflect upon the King; and that Popish Committee was sent more to the two Houses, then to the King, and were more owned by them, who tooke speciall care for their Accommodation.

By what is said, it sufficiently appears, how unjust and unreasonable all the *particular Scandals* are, with relation to the businesse of *Ireland*, in which *His Majesty* (how impudently soever He hath been aspersed) never did any, or omitted the doing any thing, but according to those rules, which are most justifiable before God and man; it were to be wished that the two Houses of Parliament had
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but as well performed their duty, and obligations; but it cannot be forgotten, that neer the beginning of this Rebellion, when the Houses pretended wonderfull difficulty to raise men for that Service, and when a seasonable supply would utterly have broken and defeated the Rebels, the King sent a Message to them on the 28 of December, 1641. That *His Majesty being very sensible of the great miseries and distresses of His Subjects in the Kingdom of Ireland which daily increased, and the bloud which had been already spilt, by the cruelty and barbarousnesse of those Rebels, crying out so loud; and perceiving how slowly the succours designed thither went on, His Majesty Himself would take care, that by Commissions (which He would grant) ten thousand English Voluntiers should be speedily raised for that service, if the House of Commons would declare, that they would pay them:* which offer from His Majesty was rejected, and no considerable supplies sent till they had compelled His Majesty to consent to such a Bill for Pressing, as might develt and rob Him of a necessary and legall power inherent in His Crowne.

Ex. Col. p. 33.

Nor can it be forgotten, that they reserved those men, which were raised for *Ireland*, and would not otherwise have been engaged in their Service, but on that pretence, and brought them to fight against His Majesty at *Edgehill*, and afterwards retained them still in their Service; That they imployed the mony, raised by Act of Parliament for the relief of *Ireland*, and with a particular caution, that it should be imployed no other way, for the support and maintenance of that Army led by the Earle of *Essex* against the King, and that from the beginning of the Rebellion in *England*, (though they received vast sums of mony raised only for *Ireland*) they never administered any considerable supply thither, that they could
I apply

apply to the advancement of their owne Designs at home against the King.

These particulars (of which kind every man may call to mind many more) nor their notable compliance with the Irish Committee, when they came first over, are remembred, to imply that the two Houses of Parliament were guilty of raising the Rebellion in *Ireland* otherwise then by their principles, and proceedings in diminution of the King's soveraigne power) or that they cherished it after it was begun (otherwise then by not wisely and vigorously endeavouring to suppress it, before it spread so universally) but that which may be justly laid to their charge is, their affecting and grasping the power of carrying on that War, which so great a body is not fit for; their imprudent and unpolitique declaring an animosity against the whole Nation, and even a purpose for their utter extirpation, and disposing their Lands to those, who would be adventurers for it; which Act and Declaration it is known drove many into open Rebellion, who were not before suspected, or at least declared to be affected to the Rebels; and lastly, their giving all their minds up to the kindling that horrid and monstrous rebellion here, rather then to the extinguishing the other in *Ireland*.

Pag. 29.

16. Next succeeds the Charge against the King, *for the unusuall preparation of Ammunition and Armes (upon His return from Scotland) with new Guards within, and about White-hall; the Fire-works taken and found in Papists houses, the Tower filled with New guards, Granadoes, and all sorts of Fire-works, Morters and great pieces of Battery, the dis-placing Sir William Balfore, and placing other Officers, who were suspected by them, and the whole City.*

Not

Not to speak of the entertainment they provided for the King against His return out of *Scotland*, when in stead of thanking Him for having passed so many good Acts of grace and favour to them, that there was no one thing more, that the Kingdome could reasonably aske from Him, or requisite to make them the most happy Nation of the world; They presented Him a *Remonstrance* (as they called it) of the State of the Kingdome, *laying before Him* (to use His Majesties own words) *and publishing to the world all the mistakes, and all the mis-fortunes, which hapned from His first comming to the Crowne, and before, to that houre, forgetting the blessed condition all His Subjects had enjoyed in the benefit of peace and plenty under His Majesty to the envy of Christendome* : Not to speak of the licence then used in language, when upon debate of some pretended breach of Order, one of the principall Promoters of this Declaration publickly said in the House of Commons, without controule, *that their Discipline ought to be severe, for the enemy was in view*, when the King was come within one daies journey of the City; His Majesty found a band of Souldiers entertained to guard the two Houses of Parliament, which as it had bin never known in age before in that manner, so there was not now the least visible cause for it, but that there had been a Plot in *Scotland* against the persons of the Marquesse of *Hamilton* and *Argyle*, and therefore there might be the like upon some principall Members here: Upon the King's return the Earl of *Essex* resigned up the Commission with which he had been intrusted by His Majesty during His absence to preserve the peace of the Kingdome, and thereupon that Guard which was drawn together by vertue of that authority in that Earle, was dissolved with it: The King came then to *White-hall*, and

Ex. Col. p. 528.

for what passed afterward, heare in His owne words, in His Declaration of the 12. of August, *Great multitudes of mutinous people every day resorted to Westminster, threatened to pul down the lodgings where diuers of the Bishops lay, assaulted some in their Coaches, chased others with Boats by water, laid violent hands on the Arch-bishop of Yorke in his passing to the House, and had he not been rescued by force, it is probable they had murdered him, crying through the streets, Westminster-hall, and between the two Houses, No Bishops, no Bishops, no Popish Lords; and mis-used the severall Members of either House, who, they were informed, favoured not their desperate and seditious ends, proclaiming the names of severall of the Peers as evill and rotten-hearted Lords; and in their return from thence, made stand before Our gate at White-hall, said, they would have no more Porters Lodge, but would speak with the King when they pleased; and us'd such desperate rebellious discourse, that We had great reason to believe, Our owne Person, Our Royall Consort, and Our Children to be in evident danger of violence, and therefore were compelled at Our great charge to entertain a Guard for securing Us from that danger; These are His Majesties own words, and containe no more then is known to all men, and hath never yet been particularly denied by themselves, therefore sure the King had great reason to provide some Guard for Himself; and what was that Guard? Many Colonels and Officers of quality attended the Parliament for Mony due to them by the publique Faith (which to this day hath not been paid to them) these Gentlemen upon the Offer of their Service to the King in this exigent, were listed, and attended at White-hall to defend it against the insolency of those Tumults: and the little Ammunition and Armes which was brought thither, was for that purpose: That*

the

the Houses within few daies after raised a stronger Guard for themselves, without and against the King's Consent, and with that and other Forces countenanced by that, drove the King from the Towne, is as true and notorious to all the world.

What is meant by the Fire-works found and taken in Papists houses, is not understood, except they intend the Lord *Herbert's* house, which being at that time mentioned and examined, was in the House of Commons rejected, as an idle bruit, some of their principall Members affirming they had been there, and were satisfied, that there was nothing in the practice or designe, but what was very justifiable.

The *Tower* was so farre from being filled with new Guards, that there were no new *Guards* put there, till the Houses took the boldnesse to doe it; and if the King had made any addition of strength to His own Fort, it would have been no more, then He might well have done: But that the having Granadoes, and all sorts of Fire-works, Morters and great Pieces of Battery ready prepared in the Tower, should be objected to the King, is wonderfull, since it is the proper place, where such Utenfils for war are to be; and if they had been in any other place, it might have administred some occasion of jealousy: there were no more pieces of Battery prepared and mounted against the City, then had been usuall and accustomed.

It was in the King's just power to remove any man from being Lieutenant of the Tower, whose fidelity or affection he suspected or made question of, yet (what just reason soever He had for either) Sir *William Balfore* was removed with his own consent, and upon such a present recompence in mony, as himself thought an ample compensation: it is true, some factious Citizens (who were

Ex. Col. p. 546.

alwaies ready to be applied to any seditious action) petitioned against Sir *John Byron*, who succeeded in that Command ; and alleaged that their jealousie was such, that they were forced to forbear the bringing in of Bullyon to the Mint ; when in truth there was not one of those who concurred in that Petition, that ever brought Bullyon thither, or used thar Trade ; and to use His Majesties owne words, it is notoriously known, *There was more Bullyon brought into the Mint, in the time, that Gentleman was Lieutenant, then in the same quantity of time in any mans remembrance* : And surely it will be a great brand upon that time, and the City, to posterity, and an evidence how far they were from lodging English hearts in their breasts, that they would think themselves lesse secure in Sir *John Byron*, a person of Noble Extraction, generous education, unblemished reputation, and a full fortune ; then of an indigent Forainer, who had no other Arts to live by, then those of which they justly complained, and could not serve them, without betraying his faith to his Master, to whom he was particularly sworn, and ingaged by infinite Obligations.

Hitherto they have examined only the errors and oversights, at least the lesse raging enormities of the first Sixteen or Seventeen years of His Majesties Reigne, now they are entring into the high waies, where they say, *the tract of open force against the Parliament and Kingdom did appear more visible*.

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17. The first instance is the Charge of *Treason against some of both Houses* ; and that *unparallel'd Act of violence by the King's coming so attended to the House of Commons*, which they say was, but *the Prologue to a bloody Tragedy, &c.*

Though the tale of the Members did at that time serve
their

their turne, to worke upon the un-skilfull and un-distin-
guishing minds of the people, and to apply them to their
Service, it was believed they would have now blushed to
have remembred it, since as discerning-men were not at
that time in any degree satisfied of their innocence : so all
men by the demeanour of those Members afterwards,
have concluded that the King had very good reason,
then, to accuse them, though it may be the act was not
so happily deliberated on, as to foresee those accidents,
which might disturb the progresse of it.

Before any thing be said of the matter it self, how far
the King was from doing what was not right, it will not
be amisse to look back, how far they then imputed this
act to the King, which is now so principall a part of the
Charge against Him : After His Majesty had excepted
against some expressions used by them of His comming
to the House of Commons, as if He had intended vio-
lence; in their Petition presented to Him at *Tiballs*, 1. of *Ex. Col. p. 93.*
March, 1641. they besought His Majesty to believe,
that *the dangerous and desperate designe upon the House,*
was not inserted with any intention to cast the least aspersion
upon His Majesty, but therein they reflected upon the ma-
lignant party, &c. so that it seems the Houses then were
not of the same opinion these men are now of.

For the matter it self, *That any Members of either*
House may be prosecuted in the same manner, as if they were
not Members, in the case of Treason, or Felony, is so known
a truth, that no man (who pretends to know the Laws of
the Kingdome, or Presidents of Parliament) *ever thought*
the contrary, or heard the contrary said, till since the case
of these Members ; and the same hath been alwaies ac-
knowledged in all Parliaments, and may be said to be ac-
knowledged by this, since the Lord chief Justice *Coke* *4 Part Instit.*
fol. 25.
sets

sets it down as a *maxime* in his Chapter of the High Court of Parliament, which was printed by the especiall Order of the House of Commons, since this Parliament began.

Ex. Col. p. 534.
& 535.

That the King had reason to accuse these Members of high Treason, can be as little doubted, since He could make particular proof against them of a solemn Combination entred into by them for altering the Government of the Church and State; of their soliciting and drawing down the Tumults to Westminster; and of their bidding the people in the height of their rage and fury to go to White-hall; of their scornfull and odious mention of His Majesties Person; and their designe of getting the Prince into their hands; and of their Treating with Forain power to assist them, if they should faile in their enterprizes; And why the King's Attourny upon these reasons might not as lawfully accuse those Members of high Treason, as the Attourny Generall in the first year of this King's Reigne, did accuse the Earle of Bristol upon a Charge more generall, who was thereupon committed to the Tower; And why His Majesty might not as well have expected, that upon his Articles (not so generall as a meer verball accusation) of high Treason, either House would have Committed their severall Members, as they had done so many this Parliament; and about that time, twelve Bishops together (upon a confessed ground, which every man there, who knew what Treason was, knew that fact to be none) meerly, because they were accused, His Majesty (upon occasion of mentioning this passage) saies, He could neither then, nor yet can understand.

This being the case, there remains nothing but His Majesties own going to the House of Commons, for which, hear His own words in His Answer to the Declaration of the 19. of May, where that matter was loudly laid to His

His charge: *When We resolved, that it was fit for Our own* Ex. Col. p. 245.
safety and honour, and the peace of the Kingdome, to proceed
against those persons, though We well know there was no de-
gree of priviledge in that case, yet (to shew Our desire of
correspondence with the two Houses of Parliament) We chose
rather then to apprehend those persons by the ordinary Mi-
nisters of Justice (which according to the opinion and pra-
ctice of former times We might have done) to command
Our Attourney generall to acquaint Our House of Peers with
Our intencion, and the generall matters of Our Charge
(which was yet more particular then a meer Accusation)
and to proceed accordingly; and at the same time sent a
sworn Servant, a Sergeant at Armes to Our House of Com-
mons to acquaint them, that We did accuse, and intended to
prosecute the five Members of that House for high Treason;
and did require that their persons might be secured in custo-
dy; This We did, not only to shew that We intended, not to
violate or invade their Priviledges; but use more ceremony
towards them, then We conceived, in justice might be requi-
red of Us, and expected at least such an Answer, as might in-
forme Us, if We were out of the way: But We received none
at all, only in the instant, without offering any thing of their
Priviledges to Our consideration, an Order was made, and
the same night published in print, That if any person what-
soever should offer to arrest the person of any Member of that
House, without first acquainting that House therewith, and
receiving further order of that House, That it should be law-
full for such Members, or any person to assist them, and to
stand upon his or their guard of defence, and to make resi-
stance according to the Protestation taken to defend the Pri-
viledges of Parliament; and this was the first time we heard
the Protestation might be wrested to such a sence, or that in
any case (though of the most undoubted and unquestion-
able

able priviledge) it might be lawfull for any person to resist, and to use violence against a publique Minister of Justice, armed with lawfull authority: though we well know, that even such a Minister might be punished for executing such authority: Upon viewing this Order, we must confesse We were somewhat amazed, having neither seen nor heard of the like before, though We had known Members of either House Committed, without so much formality, as We had used, and upon crimes of a far inferiour nature to those We had suggested: And having no course proposed to Us for Our proceeding, We were upon the matter onely told that against those persons, We were not to proceed at all, that they were above Our reach of the Law: It was not easie for Us to resolve what to doe; if We imployed Our Ministers of Justice in the usuall way for their apprehension (who without doubt would not have refused to have executed Our lawfull Commands) We saw what resistance and opposition was like to be made, which very probable might cost some bloud; if We sate still, and desisted upon this terror, We should at the best have confessed Our owne want of Power, and the weakness of the Law; in this strait We put on a sudden resolution, to try, whether Our own presence and clear discovery of Our intentions (which haply might not have been so well understood) could remove those doubts, and prevent those inconveniencies which seemed to be threatned: And thereupon We resolved to go in Our Person to Our House of Commons, which we discovered not till the minute of our going, when We sent out, That Our Servants and such Gentlemen as were then in Our Court, should attend Us to Westminster, but giving them expresse command, that no accidents or provocation should draw them to any such Action, as might imply a purpose of force in Us, and Our self (requiring those of Our traine not to come within the Dore) went into the House
of

of Commons, the bare doing of which, We did not conceive would have been thought more a breach of priviledge, then if We had then gone to the House of Peers, and sent for them to come to Us, which is the usuall custome.

This was His Majesties Answer formerly to this Charge, which is therefore here inserted at large, as being so full, that nothing need be added; and it appeared by the Deposition of *Barnard Ashly*, and others taken by them, that the King gave His Traine expresse and positive charge, that *they should give no offence or ill word to any body, what provocation soever they met with*; which Depositions were carefully suppressed, and concealed, whilst they made use of the testimony of indigent and infamous Fellows, to reproach His Majesty, from some light and unadvised discourse, which was pretended to be uttered by some young Gentlemen, who had put themselves into the Traine.

To conclude, it is to be observed, that though it were so high a transgression in the King, (againstwhom Treason can onely be committed) to prefer such a Charge against five Members of the House of Commons, who were called together by His Writ, and accountable to Him for any breach of Duty, that it did absolve them from their Allegiance, yet the preferring the like Charge since against *Eleven Members* by the Army, raised and maintained by them, and to which they were not accountable for any thing they did; hath been held no crime; and it may be no ill exercise for those Gentlemen, who with such high contempt of that Sovereigne power, to which they owed their allegiance, took delight to despise and resist *His Majesties* just Authority, now in their affliction, restraint, and banishment to consider the hand of God upon them, which hath compelled

1 Article against the
11 Members.

1 Article a-
gainst the
5 Members.

them to submit to the mercenary power raised by themselves to suppress their King; That though they broke through the Kings Article, for endeavouring to subvert the fundamentall Laws and Government of this Kingdome, and to deprive the King of His legall power, and to place on Subjects, an Arbitrary and tyrannicall power: yet they could not break through the Charge of the Army for invading, infringing, or endeavouring to overthrow the Rights and Liberties of the Subjects of this Nation, in arbitrary, violent, and oppressing waies, and for endeavouring by indirect and corrupt practises to delay and obstruct Justice, to the great damage and prejudice of divers of the poor Commoners of *England*.

2 Article a-
gainst the
5 Members.

2 Article a-
gainst the
11 Members.

Though they were too mighty to be touched upon the Kings accusation, of having endeavoured by many foule aspersions upon *His Majesty*, and His Government, to alienate the affections of His people, and to make *His Majesty* odious to them; yet they were not able to bear the burthen of an Accusation of having endeavoured by false informations, mis-representations, or scandalous suggestions against the Army, to beget mis-understandings, prejudices, or jealousies in the Parliament against the Army, and to put insufferable injuries, abuses, and provocations upon the Army, whereby to provoke and put the Army into dis-temper.

4 Artic.against
5 Members.

4 Artic.against
11 Members.

Though they slighted the King's Charge of having trayterously invited and encouraged a forain power to invade *His Majesties* Kingdome of *England*, yet they cannot throw off the Charge from the Army, of having invited the *Scots*, and other forain Forces to come into this Kingdome in a hostile manner, to abet and assist them in the prosecution and effecting of their designs.

Lastly, they may with their eyes, hands, and hearts lift
up

up to Heaven, remember how they contemned and despised the King, when he charged them, that they had endeavoured (as far as in them lay) by force and terrour to compell the Parliament to joyn with them in their traitorous designs, and to that end had actually raised, and countenanced Tumults against the King and Parliament; And now their owne Army whereof very many then assisted them in those Tumults to drive away the King, and the Members of both Houses, accuses them of having invited, encouraged, abetted, or countenanced divers Reformadoes and other Officers and Souldiers, tumultuously and violently to gather together at *Westminster* to affright and assault the Members of Parliament, in passing to and from the House; to offer violence to the House it self; and by such violence, outrages, and threats, to awe and inforce the Parliament.

6 Artic. against
5 Members.

5 Artic. against
11 Members.

As the Charge allowed, and countenanced now from their owne Army, is upon the matter the same, which was with so much noise and insolence rejected, when it was presented from the King, and is now objected against Him as a hainous crime, so with reference to their Priviledges (which, like the *Logitians line*, is *divisibilis in semper divisibilia*, and serves their turne, to inable them to aske any thing from the King they think fit to demand, and to refuse any thing to Him He requires from them) the progresse and proceedings thereupon, hath been very different; in stead of suspending and discountenancing them upon the King's accusation, they are brought in triumph with an Army to the House; the Army upon the bare exhibiting their generall Articles, require that the persons impeached, may be forthwith suspended from sitting in the House, and will receive no deniall, it must be consented to, for they will not indure, that the

Decl. and Pa-
pers of the Ar-
my. p. 52.

persons impeached by them shall continue in power and capacity to obstruct due proceedings against themselves ; and for their own escape from justice to threaten ruine to the whole Nation, as by the Letter from the Army of the 21. of June, appears.

Ex. Col. p. 56.

The King was checked upon the matter of Priviledge, and then imperiously required to send the evidence, which He had against those He had accused, to the House, where they principally governed, and could easily judge what was secure for themselves ; His Majesty desired, *that before His proofs were discovered against them, and lest a new mistake should breed more delaies, it might be resolved, whether His Majesty were bound in respect of Priviledges to proceed against them by impeachment in Parliament, or whether He were at liberty to prefer an Indictment against them at Common Law, in the usuall way, or had His choice ; to which they would give no other Answer, then that they desired Him to give directions, that the Parliament might be informed before Friday next, what proof there was against them, that accordingly they might be called to a legall triall, it being the undoubted right and priviledge of Parliament, that no Member of Parliament can be proceeded against without the consent of Parliament.*

The Army tells them plainly, by their Letter of the 25. of June, *That they wish the name of Priviledges, may not lie in ballance with the Safety of a Kingdome, and the reality of doing justice ; which (as they had said too often) they could not expect whilst the persons they had accused, were the Kingdomes and their Judges. And in the Remonstrance of the Army of the 23. of June, that no priviledges ought to protect wicked men, in doing wrong to particulars, or mischief to the publick ; and that whoever most adores or tenders those priviledges, will best expresse his*

his Zeale towards them, in taking care they be not abused or extended to private wrong and publique mischief, for they say, they clearly find, and all wise men may see it, that Parliament priviledges as well as Royall prerogative, may be perverted & abused, to the destruction of those greater ends, for whose protection and preservation they were admitted, or intended (viz.) the Rights and Liberties of the people, and safety of the whole; and in case they be so, the abuse, evill, or danger of them, is no lesse to be contended against, and a remedy thereof no lesse to be endeavoured, then of the other : And upon these grounds they conclude, that they shall be enforced to take such courses extraordinary, as God shall enable and direct them to, unlesse by Thursday night next they receive assurance and security to themselves and the Kingdome, for a more safe and hopefull proceeding in an ordinary way, by having those things granted, which before they insisted on.

Decl. and Pa-
pers of the Ar-
my, p. 67.

These have been the proceedings of late in the point of accusing Members, and in the case of Priviledge, all which are so far justified by the Houses, *that the Army bath received publique thanks and approbation for all that they have done*, and their accusations have been received, countenanced, and promoted, and their desires granted against the persons they accused, so that as the King did nothing in the accusation of those Members, but what was justifiable by the Law, and former Presidents of Parliament, so whatsoever He did is since justified by the later Presidents, which themselves have consented to, and approved; And so we return to the place from whence this consideration carried us.

There is a mention of the Lord *Digby's* appearing in a War-like manner, and afterwards his going beyond the Seas, and from thence giving advice to the King to retire
to

to some strong place, &c. which are all so well known, have been so often answered, and have so little reference to the King, that time is not to be wasted to reply to them.

pag. 30.

18. The next Charge is, *the Commissions granted to the Earle of Newcastle, and Colonel Legg, for attempting Newcastle and Hull, which (they say) occasioned them to provide for their security; to which their intelligence of forain Forces from Denmark contributed; and then they take great paines to make that jealousie of Denmarke reasonable, and fit to sink into them.*

The Commissions granted by the King to the Earle of Newcastle, and Colonel Legg, were no other then by Law He might grant; neither did He grant any such, before He was assured the leading Members in the House of Commons had it in their purpose to procure an Order for the seizing that Towne, and after they had caused a power to be placed about the *Tower of London* both by land and water under the Command of their new Officer *Skippon*, who was required not to suffer any provisions to be brought in thither by what Authority or Warrant soever.

If there had been any expectation, or apprehension of forain Forces to be brought from *Denmarke*, that could be no warrant for them to seize on *Hull*, without and against the King's leave, whose peculiar jurisdiction and right it is, to provide against forain Invasions; but as that discourse of Forces from *Denmarke*, was then looked upon as most ridiculous by all men of sense, so experience hath since made it apparent, that there was not the least colour for it: And the arrivall of that Vessell with Ammunition and Armes (for there came no Commanders in her) near *Hull*, was near six Months after the Houses had

had put a Garrison into *Hull*, and neer three Months after *Sir John Hotham* had shut the Gates of it against His Majesty; and if it had not been for that rebellious Act, that Ammunition and Armes had not been sent.

The Invasion of the King of *Denmark's* Dominions by the *Swedes* was above two years after the seizing of *Hull*, therefore that could not be any interruption to that designe, if it had been intended; but that a frivolous report of a discourse between a Servant of the Lord *Digby's*, (that was never named) with a Mariner, whom he had never seen before, to conduct a Fleet into *England* from *Denmarke*; or an intercepted Letter from the *Hague* to Secretary *Nicholas*, which is pretended to be written the 26 of *Novemb.* after the Battle of *Edge-hill*; and in which is mention of Armes for ten thousand Foot, and for fifteen hundred Horse should be thought of moment to justifie a rebellious jealousy of the King's purpose of countenancing an Invasion of His owne Kingdome, is below the folly and fortifhnesse of any, to whom satisfaction ought to be applied.

The imploying of Colonel *Cockram* to the King of *Denmark*, was after the Rebellion was begun, and when the Earl of *Effex* was marching with his Army against His Majesty, and the principall instruction given to him, was to presse that King to assist His Majesty, with Mony, Armes, and Ammunition, (the two Houses having seized all which belonged to His Majesty) and that the same might be sent by some Ships of that Crowne, because all the King's owne were taken from Him, and lay in wait to intercept any Provision that should be sent to His Majesty; and it is no wonder if the King indevoured by His instructions to His Agent, to make His Uncle of *Denmarke* as sensible as he could of the injuries and indignities offered to His Majesty; nor was that very clause (with which these wicked men so insolently and rudely reproach His Majesty) without good grounds; it

being known that they ordinarily whisper'd many things then in their private Caballs, which they durst not publickly avow; of which nature were their discourses of the Death of King *James*, which they are now grown up to the wickedness to publish, and the other which was mentioned in that instruction.

They say *they repeat this rather, because when they declared their intelligence, that Cockram was sent into Denmarke to procure Forces thence*, the King disavowed it, calling it a vile scandall in His Answer to their Decl. of the 22 of *Octob.* 1642.

Ex. Coll.
p. 670.

Their charge upon the King in that Declaration of the 22 of *Octob.* was, *That Sir John Henderson and Colonel Cockram (men of ill report both for Religion and Honesty) were sent to Hanborough and Denmarke, as they were credibly informed, to raise Forces there, and to bring them to Newcastle, and to joine with the Earle of Newcastle, &c.* To this the King made Answer, *That He had never greater cause to be confident of security in His owne Subjects, and therefore He could not believe so vile a scandall could make any impression in sober men:* And it is known He did desire no other aide or supply at that time from *Denmarke*, or from any of his Allies, but Mony, Armes, and Ammunition, but if He had not been confident in the security of His owne Subjects, He would have been justly to be blamed, if He had not endeavoured to get any forain succours to preserve Himself, His Crowne, and the Kingdome from being over-run and subdued by the power and strength of His rebellious Subjects.

In the same instructions to *Cockram*, they say, *the King declared, that He then expected assistance from His neighbour Princes and Allyes, in particular the greatest part of the States Fleet from Holland:* which if it were truly set forth; needs no Answer, it being very reasonable that the King should have expected that all His neighbour Princes and Allyes should have assisted Him against so odious and horrid a Rebellion,
and

and it may be many of them may live to find the inconveniencie of not being sensible of the assault, which hath been made upon Sovereignty, especially, if in stead of assisting the King, they have contributed toward the oppressing the Regall power; but these men are such enemies to ingenuity, that in the very repeating, what hath been said or done by the King, they will leave out any words that will make the sense otherwise understood, then fits their purpose, though any man that will take the pains to examine it, will quickly find the truth; so they who will peruse these instructions (by what means soever they came by them) published by themselves, will find that the King mentioned the *Holland Fleet* only, as King's Cabinet, p. 41. *allowed by the States to give Her Majesty a Convoy into England*, which these men would have understood, as lent to assist the King against His rebellious Subjects; whereas it is too well known, that at that time the two Houses found more respect and assistance from those States, then His Majesty did; and what His Majesty then said of His neighbour Princes and Allyes (which they would perswade the people to relate to some present engagement from them to send Forces to Him) being only grounded upon His reasonable hope of the sense those Princes would have of the indignities offered to His Majesty, His words being, *He expects and hopes that all His neighbour Princes and Allyes, will not look upon so dangerous a Precedent to their owne Crownes and Monarchies, without contributing to suppress this so pernicious a designe begun in this Kingdome*: God forgive those Princes who suffered His Majesty to be deceived in so just and Princely an expectation.

It is here likewise to be remembred, that the two Houses had dispatched their Agent *Strickland* to the States of Ex. Col. p. 635.

the united Provinces, to invite them to their amity and assistance, and to decline their League with His Majesty, before Colonel Cockram was sent for *Denmarke*, their Declaration to those Provinces bearing date the 8 of *October*, which was before the time that *Cockram* went towards *Denmarke*.

Page 33.

19. The *Queens* going into *Holland*, is next objected to the *King*, and that contrary to His trust He sent the ancient Jewels of the Crowne of England, to be pawned or sold for Ammunition and Armes, of which, they say, they had certain knowledge before they took up Armes; and that they had not so much as once asked the Militia, till the Queen was going for *Holland*; and that Her going beyond Sea was stayed, many Months before Her going into *Holland*, by their motions to the King, because (amongst other reasons) they had heard, that She had packed up the Crowne Jewels, by which they might see what was then intended by that Journey, had not they prevented it till the Winter.

They are very unwilling to agree upon the time when they first took up Armes, and would have their seizing upon the King's Forts, possessing themselves of the Militia of the Kingdome, of the Royall Navy, to be thought only an exercise of their Sovereigne power, and no taking up of Armes; but though they could perswade the world that their countenancing and bringing downe the Tumults, by which they first drove away many Members from the Houses, and then the King Himself from *Whiteball*, was not taking up Armes, because there was no avowed Act of both Houses to bring downe those Tumults, yet sure they cannot deny their marching out of the City with all the Trained bands of London in a hostile manner to *Westminster*, where both Houses gave the chief Officers thanks, approved what they had done,
under-

undertook to save them harmlesse, and appointed a new Officer of their own to Command those Traine bands, which was on the 11 of *January*, 1641. to be taking up Armes.

When they appointed the next day their own new Officer *Skippon* to besiege the *Tower of London*, with the City Forces, by land and water, and not suffer any provision to be carried thither, when the King's Lieutenant was in it, and declared, *that whosoever should trouble him for so doing, was an Enemy to the Common-wealth*, which was accordingly executed by him; they must confesse undoubtedly that they took up Armes; and both these high actions (which by the expresse Statute of the 25 year of King *Edw. 3.* are High Treason) were before any one *Jewell* belonging to the Crowne or the King, was carried out of the Kingdome.

For the time of asking the *Militia*, though no circumstance of time could make it justifiable (not to speak of the Bill preferred to that purpose many Months before) the House of Commons by their Petition of the 26 of *January*, after the House of Peers had refused to concur with them in so dis-loyall a suit, *desired His Majesty to put the Tower of London and the principall Forts of the Kingdome and the whole Militia, into such hands as they thought fit*; and the *Queen* went not into *Holland* till the 23 of *February*, neither was her journey resolved on till the beginning of that Month; so that their assertion of not having so much as asked the *Militia* till the *Queen* was going into *Holland* is utterly untrue, and when they were made acquainted of such Her Majesties purpose, they never in the least degree dissuaded it.

But what was the *Queens* going into *Holland*, and the *King's* sending with Her the *Jewels* of the Crown, to their

taking Armes? The *Queen* might very well go to any place the *King* thought fit She should go, & the Princess *Mary* (being at that time to go into *Holland* to her Husband) His Maj. thought it fit that the *Queens Maj.* should accompany Her Daughter thither: And for the Jewels of the Crowne (though most of the Jewels carried over by the Queen, were Her owne proper goods) let them shew any Law, that the King may not dispose of those Jewels for the safety of His life, and to buy Arms & Ammunition to defend Himself against Rebels, who have seized all His Revenue, and have left Him nothing to live upon, but those Jewels, which He had only in His power to convey out of theirs, or to leave them to be seized on and sold by them, who applied all that He had else, and His own Revenue to hasten His destruction.

In their mention of the Queens former purpose of going beyond Seas, stayed (as they say) upon their motion, because they had then heard, She had packed up the Crown Jewels and Plate, they use their old and accustomed licence.

If they will examine their own Journall, they will not find amongst all those reasons; which were carried up by Master *Pim* to the Lords at a Conference on the 14 of *July*, and the next day presented to the King to dissuade Her Majesties Journy, the least mention, of Her having packed up the Crown Jewels and Plate, but that they had received information of great quantity of treasure in Jewels, Plate and ready Mony packed up to be conveyed away with the Queen; and that divers Papists and others, under pretence of Her Majesties Goods were like to convey great sums of Money and other treasure beyond the Seas, which would not only impoverish the State, but might be employed to the fomenting some mischievous attempts to the trouble of
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the publike peace : And they might remember that; the chief reasons they gave to dissuade Her Majesty, was, their profession and Declaration, (*since they heard that the chief cause of Her Majesties sicknesse proceeded from discontent of Her mind*) that if any thing which in the power of Parliament might give Her Majesty contentment, they were so tender of Her health, both in due respect to His most excellent Majesty and Her self, that they would be ready to further Her satisfaction in all things; and that it would be some dishonour to this Nation, if Her Majesty should at this unseasonable time go out of the Kingdome, upon any grief or discontent received here; and therefore they would labour by all good means to take away and prevent all just occasions of Her Majesties trouble in such manner as might further Her content, and therein Her health, which would be a very great comfort and joy to themselves, and the rest of His Majesties loving Subjects.

5. Reason.

6. Reason.

These obligations they should have remembered, and left the world to remember how punctuall they were in the performance : The discourse at *Burrough Bridge*, that *the King would pawn His Jewels for the Army*, is as materiall, as any other part of the discourse there, being said only by Captain *Chudleigh*, who it seems believed it not, by His engaging Himself to the Parliament from that time, (as the better Pay-masters) and was highly valued by them.

Ex. Col. p. 210.

20. It seems they take it as granted, that their frivolous and malicious allegations will serve turne in stead of proofs, and therefore they take the boldnesse to tax His Majesty *with breach of honour and faith*, and to reproach Him *for calling God to witnesse*, and making so many solemn protestations against any thought of bringing up the Northern Army, or of leaving Forces to wage war

Pag. 34.

with

with His Parliament, or of bringing in forain Forces or aids from beyond the Sea, which (they say) Himself said would not only bury the Kingdom in sudden destruction and ruine; but His own name and Posterity in perpetuall scorne and infamy.

If these Gentlemen would deale faithfully with the world, and confesse what troubles them most, they would acknowledge, that their grief is, that the King is so punctuall and severe in keeping His word, and protestations; not that He is apt to fall from them. If He would have practised their arts of dissembling, and descended to their vile licence of promising and protesting, what He never meant to think of after, He might have prevented them in many of their successes; but the greatness of His mind alwaies disdained even to prosper or be secure by any deviations from truth and honour; and what He hath promised, He hath been religious in observing, though to His own damage and inconvenience; He hath made no protestation about bringing up the Northern Army, or of leavying Forces against the Parliament, or for the Rights of the Subject, which was not exactly true, and agreeable to the Princely thoughts and resolutions of His heart.

The occasion of His Majesties using that expression concerning *forain Force*, (which is here remembered by them) was this: In the Declaration delivered to His Majesty from the two Houses at *Newmarket* on the 9 of *March*, 1641. they told Him, *that by the manifold advertisements, which they had from Rome, Venice, Paris, and other parts, they expected that His Majesty had still some great designe in hand, and that the Popes Nuntio had solicited the Kings of France and Spaine to lend His Majesty four thousand men apiece to help to maintain His Royalty against*

gainst the Parliament, 'were some of the grounds of their fears and jealousies ; To which His Majesty made answer in these words, *What your advertisements are from Rome, Venice, Paris, and other parts, or what the Pope's Nuntio* Pag. 108. *solicited the Kings of France or Spaine to do, or from what persons such informations come to you, or how the credit and reputation of such persons have been sifted and examined, We know not, but are confident no sober honest man in Our Kingdomes can believe, that We are so desperate, or so senselesse, to entertain such designs, as would not only bury this Our Kingdome in sudden destruction and ruine, but Our name and posterity in perpetuall scorn and infamy.*

That this Answer was most prudently and justly applied to that extravagant and senselesse suggestion, cannot be doubted ; but because the King at that time, before the War, or a declared purpose in them to raise a War against Him, held it an odious and infamous thing to thinke of bringing in foraine Forces upon His owne Kingdome, that He might not therefore think it afterwards necessary, and find it just, to call in forain Succours to defend Him from a Rebellion, that besides mixtures of all Nations, was assisted by an intire forain Army to oppresse Him, and His posterity, no reasonable man can suggest or suppose ; and yet how far He hath been from entertaining any such aide, the event declares, which it may be, many wise men reckon amongst His greatest errors and oversights ; and which no question, (if He had not been full of as much tenderesse and compassion towards His people, as these men want) He would have found no difficulty to have practised.

They proceed to improve this most groundlesse and unreasonable scandall by another instance, *that when His Majesty Himself, and the Lords made a Protestation at*

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Yorke

Yorke against leavying Forces, He commanded His Subjects by Proclamation to resist the Orders of the Parliament, and did many other Facts, contrary to that Protestation, the particulars whereof are mentioned, and shall be examined and answered.

The Act which they call a Protestation by the King & the Lords at *Torke* passed on the 15 day of *June*, 1642. being six and twenty daies after both Houses had declared that the King intended to leavy war against the Parliament, and thereupon published their Propositions for bringing in Money or Plate for the raising and maintaining an Army: The King conceiving so positive and monstrous an averment might make some impression upon, and gain credit with his people, called the Peers together who attended Him, and taking notice of that wicked Declaration, declared to them, *That He alwaies had, and then did abhor all such designs, and desired them to declare, whether being upon the place, they saw any colour of preparations or counsels, that might reasonably beget a belief of any such designe, and whether they were not fully*

Ex.Col.p.357. *perswaded, that His Majesty had no such intention: whereupon seven and thirty Peers, who then attended His Majesty (being double the number that at that time or since remained in the House of Peers at Westminster) unanimously declared under their hands (which was published to the Kingdome) that they saw not any colour of preparations or counsels, that might reasonably beget the belief of any such designe, and did professe before God and testifie to all the world, That they were fully perswaded that His Majesty had no such intention, but that all His endeavours did tend to the firm and constant settlement of the true Protestant Religion, the just Priviledges of Parliament, the Liberty of the Subject, the Law, Peace, and prosperity of*
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the Kingdome; notwithstanding which clear evidence, they made what haste they could to raise an Army, and to engage the people against their Sovereigne Lord the King.

That His Majesty intended not by that profession on His part, nor the Lords thought themselves obliged on their parts, to give any countenance to, or not to resist the Orders, which then issued out every day, from those at *Westminster*, who called themselves *the two Houses*, needs no other evidence, then His Majesties Declaration published two daies before (13 of *June*) in which amongst other particulars, He declared to the Peers, *That* Ex.Col.p.349.
He would not (as was falsely pretended) engage them, or any of them in any War against the Parliament, except it were for His owne necessary defence and safety against such as should insolently invade or attempt against His Majesty, or such as should adhere to Him: And that very day, the very same Peers (whereof the Earl of *Salisbury* was one) engaged themselves to the King under their hands, *That they would defend His Majesties Person, Crowne and Dignity, together with His Majesties just and legall Prerogative, against all persons and power whatsoever, and that they would not obey any rule, Order, or Ordinance whatsoever concerning any Militia, that had not the Royall assent.*

The first *Commission of Array* issued out some daies before this Profession and Protestation made by His Majesty, and therefore cannot be said to be against it; and above three Months after the passing the illegall and extravagant *Ordinance for the Militia*, and after that Ordinance was executed in many parts of the Kingdome, notwithstanding His Majesties Proclamation of the illegality and treason of it, when He had desired them to

produce or mention, one Ordinance from the first beginning of Parliaments to this very Parliament, which endeavoured to impose any thing upon the Subject, without the King's consent: of which to this day they never gave or can give one instance. The Commission it self of Array, is according to Law, and so held to be at this time by most learned Lawyers, and was so declared to be by Mr. Justice Hutton in his Argument in the Exchequer Chamber, in the case of Mr. Hambden.

The Letter which they say they can produce under His Majesties owne hand to Sir *John Heydon* Lieutenant of the Ordnance, of the 20 of *June*, 1642. is no way contrary to His Majesties professions, & such as His Majesty in that ill time was necessarily to write, being to a sworn Officer and Servant of His owne, to send such of His own Goods to Him as were in His custody, and which His Majesty so reasonably might have occasion to use; and if He wished it might be done privately, it is only an instance of the wickednes of that time that the King was forced to use art and privacy to get what belonged to Him, lest He might be robbed by those, who nine daies before the date of this Letter had published Orders to intercept what soever was going to Him.

His Majesty required not any subscription for Plate, Horses, or Armes, till many daies after they had published their Propositions to that purpose, & received great sums of mony, and vast quantities of plate upon those Propositions, against which His Majesty writ His Princely Letter to the City of *London* on the 14 of *June*, and two daies after published a Declaration with the testimony and evidence of all the Peers with Him, in which He said, *That if notwithstanding, so clear declaration and evidence of His intentions, these men should think fit by those*

Alarums

Ex. Col. p. 342.

Ex. Col. p. 35.

Alarums to awaken Him to a more necessary care of the defence of Himself and His people, and should themselves in so unheard-of a manner provide (and seduce others to do so too) to offend His Majesty, having given Him so lively testimony of their affections, what they were willing to do, when they should once make themselves able; all His good Subjects would think it necessary for His Majesty to look to Himself; and He did then excite all His wel-affected people, according to their Oaths of Allegiance & Supremacy, & according to their solemn Vow and Protestation (whereby they were obliged to defend His Person, Honour, and Estate) to contribute their best assistance to the preparations necessary for the opposing and suppressing of the trayterous attempts, &c.) And then He would take it as an acceptable Service, if any person upon so urgent and visible a necessity of His Majesty, and such an apparent distraction of the Kingdome, would bring in to Him, or to His use, Money or Plate, or would furnish Horse or Armes, &c. This was the time, and the manner of His Majesties requiring subscription, for Plate, Horse, and Armes, which these men impute to Him.

They say the King raised a Guard of Horse, and Foot about Him; and by them did not only abuse their Committees sent to Him, beat their publique Officers and Messengers, protect notorious Papists, Traytors or Felons, such as Beckwith and others, from the Posse Comitatus, but also with those guards, Cannon & Arms from beyond Sea, did attempt to force Hull, in an hostile manner, and that within few daies after that solemn Protestation at Yorke: All which suggestions must be particularly examined: The raising the King's Guard was on this occasion, and in this manner:

The King residing with His Court at the City of Yorke,

Ex. Col. p. 152.

and being pressed by both Houses of Parliament to consent, that His Magazine at *Hull* might be removed from thence (for the better supplies of the necessities for *Ireland*) to the *Tower of London*, which for many reasons He thought not convenient, His Majesty resolved to go Himself in Person to His *Town of Hull*, to view His Arms and Munition there, that thereupon He might give directions what part thereof might be necessary to remaine there, for the security and satisfaction of the Northerne parts (the principall persons thereof having petitioned Him, that it might not be all removed) and what part might be spared for *Ireland*, what for the arming the *Scots*, who were to go thither, and what to replenish His chiefeest Magazine the *Tower of London*; and going thither on the 23 day of *April*, 1642. He found all the Gates shut against Him, and the Bridges drawn up, by the command of Sir *John Hotham*, who flatly denied His Majesties entrance from the Walls, which were strongly manned, and the Cannon mounted thereon and planted against the King; His Majesty having in vaine endeavoured to perswade Sir *John Hotham*, and offered to go in with twenty Horse, because he alleaged His retinue was too great, was at last compelled to returne to *Torke*, after He had proclaimed *Hotham* Traytor, which by all the knowne Lawes, he was declared in that case to be.

The next day the King sent a Message to the Houses to require justice upon Sir *John Hotham*: to which they returned no Answer, till above a fortnight after; in the mean time they sent down some of the choice Members to *Hull* to give Sir *Iohn Hotham* thanks for what he had done; and to assure him that they would justify him in it; and others into *Lincoln-shire*, with directions to their Deputy

puty Lieutenants and all other Officers, to assist him if he were in any distresse; and then they sent some other Members as their Committee to *Yorke*, with their Answer to the King, in which they told Him, *That Sir John Hotham could not discharge the trust upon which, nor make good the end for which he was placed in the Guard of that Towne and MagaZine, if he had let in His Majesty with such Counsellours and company, as were then about Him; and therefore upon full resolution of both Houses they had declared Sir John Hotham to be clear from that odious crime of Treason; and had avowed, that he had done nothing therein, but in obedience to the commands of both Houses*: whereas in truth, though they had presumed against law and right to send him thither, and constitute him Governour for a time, of that place, there was no word in his Commission, or instructions implying the least direction, not to suffer His Majesty to come thither; but on the contrary, the pretence was for His Majesties especial service.

Ex Col.p.179.

His Majesty made a quick reply to this strange Answer, and delivering it to their Committee wished them to return with it to the Houses, which they refused, telling Him, That they were appointed by the Parliament to reside at *Yorke*, but they would send His Answer to *Westminster*.

It would be too long in this place, and might be thought impertinent to consider, whether this custome of sending Committees to be Lieger in the Counties, which began at this time, be agreeable to law, and the just regular power of the Houses; for as the like will not be found in the Presidents of former Parliaments, so it may be reasonably believed, that, that Councell, which is called by the Kings Writ to assemble at *Westminster*,

can no more appoint some of their Members to reside at *Yorke*, or in any other place, then they can adjourn themselves thither ; and it seems against right, that those Deputies which are sent by the Counties or Cities to be present on their behalfs in the House of Commons at *Westminster*, may be sent to another place, by which they whom they represent are without any Members there.

Upon this Answer of the Committee, as unexpected, as the other from the Houses ; and the other acts done in this conjuncture, as the sending another Committee to *Hull*, another into *Lincoln-shire*, all to perswade the people to approve of what Sir *John Hotham* had done, and to assist him if there were any occasion ; the King began very justly to apprehend a designe upon His owne Person, and then and not till then, resolved, and declared His resolution to have a Guard to secure His Person, that Sir *John Hotham* might not (as His Majesty said) *by the same forces, or more, raised by pretence of the same authority (for he raised some daily) continue the War, that he had leavied against Him, and as well imprison His Person as detain His goods, and as well shut His Majesty up in Yorke, as shut Him out of Hull.*

Ex. Col. p. 261.

This Guard was hereupon raised, with the advice of the principall Gentlemen of that County, and consisted of one Regiment of their Train bands, commanded by the proper Colonel, who was one of the prime Gentlemen of fortune and reputation there ; and one Troup of Horse, which had the honour of being called *the Prince of Wales his Troup*, commanded by the Earle of *Cumberland*, and consisting of near one hundred, most if not all of them, of the Gentry of that Shire ; and that the rumour, scandall, and imputation of entertaining *Papists*, might be clearly answered ; there was neither Officer or Souldier

Souldier of the Regiment or Troup, who did not take the *Oath of Allegiance and Supremacy*, and they were punctually payed by the King, that there might be no complaint on any side.

This was the Guard, the occasion, and manner of leaving it, full five Months after the two Houses against Law or President, and without the least probable colour of danger had raised a greater Guard for themselves, under the command of their new Officer *Skippon*, after they had besieged the Tower, and compelled the King to commit the government of it to a man of their own nomination, and election; after they had put a Governour and Garrison into *Hull*; and that Governour and Garrison kept His Majesty out of the Towne; after they had in defiance of His Majesty and against His expresse pleasure signified to them, put His Royall Navy into the hands, and under the command of the Earle of *Warwick*; after they had in many Counties executed the Ordinance of the *Militia*; and after they had brought the danger to His Chamber dore, by their Orders to the very Sheriffe of *Yorke-shire* to assist Sir *John Hotham*, and imploying their Committee there to the same purpose.

For abusing the Committees sent to His Majesty, they should (and no doubt if it had been in their power they would) have mentioned one particular abuse offered to them; it is very well known that they had all freedom and respect, albeit His Majesty well knew the ill and seditious offices they did there; and though they appeared publickly at all meetings, and when His Majesty proposed any thing to the County, they produced their instructions, and dissuaded the County from complying with His just desires; the suffering and induring

whereof might more reasonably be imputed to the King, then any ill usage they received ; of which their owne Letters printed by Order, will be sufficient testimony ;
 Ex.Col.p.185. and when the King went from *Torke*, towards *Nottingham*, after He had declared by His Proclamation, that He would erect His Royall Standard ; the Lord *Fairfax* (being one of that Committee) by some accident of sicknesse continuing still at his house in that County ; albeit the King well knew the dis-service he had done Him, and that the keeping him in prison might prevent much more, that he was like to do Him, yet since He had received him there as a Member imployed from the Parliament, and that his returne thither was hindred by an indisposition of health, he would not suffer him to be apprehended, but left him un-disquieted, or disturbed, to recollect himself, and to revolve His Majesties goodnesse : So far was that Committee, or any Member of it from being abused, whatsoever they deserved.

The next instance of the King's breach of His Protestation, or doing somewhat against it, is, *the beating their publique Officers and Messengers, and protecting notorious Papists, Traytors, Felons, such as Beckwith and others from the Posse Comitatus* : since there is no other named, it may be supposed, that this is the only, or most notorious example of that protection, and therefore it will be fit to examine, what the Case of this man was :

This Gentleman Mr. *Beckwith* (whether a Papist or no is not materiall) lived in *Beverly*, whither His Majesty came that night, after Sir *John Hotham* had refused to suffer Him to come into *Hull*, and was utterly unknown to His Majesty, but had the just sense an honest Subject should have of the indignity offered to his Sovereigne, and the mischief that might befall that County and
 Kingdome

Kingdome by this rebellious act, and was forward to expresse (as most of the Gentlemen of that County were) a desire to repaire His Majesty, and to prevent the inconveniences which were otherwise like to follow.

He had in the Towne of *Hull* a Son-in-law, one *Fookes*, who was a Lieutenant of a Foot Company in that Garrison, whom he supposed (being only drawn in with the Train bands) not maliciously engaged in the purpose of Treason, and therefore as well to preserve a man, who was so near to him, innocent, as for other respects to his King and Country, he sent for him to come to him to his house, which the other (there being then no intercourse hindred on either side) did, and upon discourse fully sensible of the unlawfulnessse of the act, which had been done, and willing to doe any thing for the King's service; declared, That the Thursday night following he should have the Guard at the North Gate, and that if an Alarum were given at another Gate, called *Hessell-Gate*, he would let those in who came from the King; Mr. *Beckwith* promised if he would perform this, he should have a very good reward, and that if he could convert his Captain one *Lowanger* (a Dutch-man) to joyn with him, he should likewise be very liberally rewarded. This is all that was alleaged against Mr. *Beckwith*, as appears by Sir *John Hothams* Letter of the whole information to Mr. *Pim*, entred in the Journall booke of the House of Commons, and printed by their Order.

Fookes (as soon as he returned to *Hull*) discovered all to Sir *Iohn Hotham*, and he derived it to the House of Commons, as is said, and they upon this evidence sent their Sergeant at Armes, or his Messenger to apprehend *Beckwith* as a Delinquent, who upon notice of the trea-

chery of his Son-in-law, durst not stay at his house, but removed to *Yorke*.

The Messenger, with the confidence of his Masters, boldly came thither, and finding the Gentleman in the Court, and in the Garden where the King himself was walking, had the presumption to serve the Warrant upon him, and to claim him as his Prisoner ; it was indeed a great wonder that the Messenger was not very severely handled, but the reverence to the King's Person preserved him, who bore no reverence to it ; and His Majesty being informed what had hapned, called for the Fellow, and having seen his Warrant, bid him return to those that sent him, and forbear committing the like insolency, lest he fared worse ; this was the beating their Messenger, and this the protection Mr. *Beckwith* had ; nor was there ever any *Posse Comitatus* raised, the High Sheriffe daily waiting on His Majesty, and observing the Orders he received from Him, according to the duty of his office.

Whatever this offence had been, it was never knowne (before this Parliament) that the Messenger of either House ever presumed to serve a *warrant* within the King's Court, much lesse in his Presence ; which whilst loyalty and duty were in reputation, was held too sacred for such presumptions ; the Law confessing such priviledges and exemptions to be due to those places, *That the Lord cannot seize his Villaine in the King's presence, because the presence of the King is a sanctuary unto him*, saies my Lord Dyer.

For the matter it self, sure there is no man yet that will avow himself to be so much out of his wits, as to say, that the King should have suffered Mr. *Beckwith* to be
carried

carried to *Westminster*, as a Delinquent for doing the part of a good Subject ; and to be tried by those, who owned the Treason that was committed, nor can there be one person named, whom they sent for as a Delinquent, and the King protected ; except those who had been a yeare together attending upon them and demanding justice ; or those against whom nothing was objected, but that they waited on and attended his Majesty : For the Traytors and Felons, they were only to be found within their owne verge ; and protected by their owne priviledges.

Very few lines will serve here, to take notice of the difference between the King's usage of their Messengers, and their usage of the King's ; their Messenger sent by them on an unlawfull imployment, to apprehend a person they had no power to send for, and for a crime of which (if he had been guilty) they had no cognisance, and executing their commands in an unlawfull manner, and in a place, where he ought not to have done it, though the command had been just, was by the King fairly dismissed without so much as imprisonment or restraint : The Kings Messenger sent by his Majesty with a legall Writ to *London*, for the adjournment of the *Daniel Knive-*
ton. Tearme, which is absolutely in the King's power to do, and can be regularly done no other way, for performing his duty in this Service, according to his Oath, and for not doing whereof he had been punishable, and justly forfeited his place without any other crime objected to him, was *taken, imprisoned, tried at a Court of War, by them condemned to be hanged, and was executed accordingly* : That blood will cry aloud.

But they say, *with those Guards, Cannon, and Armes, from beyond Sea, the King attempted to force Hull in a ho-*

stile manner, and that within few daies after that Solemne Protestation at Yorke.

What the Protestation was, is before set downe, and his Majesties published resolution in this point, before that Protestation; nor did his Majesty ever conceal his purpose in this or other cases of that nature, or disguised his purpose with any specious promises or pretences, but plainly told them, and the world, what they were to expect at his hands.

To their expostulatory and menacing Petition delivered to his Majesty at his first comming to *Yorke*, on the 26 of *March*, the King in his Answer used these words,

Ex.Col.p.128. *As we have not, nor shall refuse any way agreeable to justice or honour, which shall be offered to Us for the begetting a right understanding between Us, so We are resolved, that no straits or necessities (to which We may be driven) shall ever compell Us to doe that, which the reason and understanding that God hath given Us, and Our honour and interest, with which God hath trusted Us for the good of Our Posterity and Kingdomes shall render unpleasant and grievous to Us.*

In this second Message concerning *Hull*, the second day after the Gates were shut against him, his Majesty uses

Ex.Col.p.156. *these words, If We are brought into a condition so much worse then any of Our Subjects, that whilst you all enjoy your priviledges, and may not have your possessions disturbed, or your titles questioned, We only may be spoiled, thrown out of Our Townes, and Our goods taken from Us, 'tis time to examine how We have lost those priviledges, and to trie all possible waies, by the help of God, the Law of the Land, and the affection of our good Subjects to recover them, and vindicate Our self from those injuries.*

In his reply to their Answer concerning Sir *Iohn Hotham*,

tham, presented to him on the 9 of *May*, his Majesty told them, that *He expected that they would not put the Militia in execution, untill they could shew Him by what Law they had authority to do the same without His consent; or if they did, He was confident, that He should find much more obedience according to Law, then they against Law.* Ex.Col.p.192.

Lastly, in his Answer to a Declaration of the 21 of *June*, 1642. (about a fortnight before his going towards *Hull* with his Guards) his Majesty told them plainly, *That the keeping Him out of Hull by Sr John Hotham, was an act of High Treason against him, and the taking away his Magazine and Munition from him, was an act of violence upon him (by what hands, or by whose directions soever it was done) and in both cases by the help of God and the Law he would have justice, or lose his life in the requiring it; so that certainly the King never concealed or dissembled his purposes, and accordingly he did indeed toward the middle of July, go with his Guards to Beverly, having some reason to believe, that Sir John Hotham had repented himself of the crime he had committed, and would have repaired it as far as he had been able, of which failing (to his own miserable destruction) without attempting to force it his Majesty again returned to Yorke.* Ex.Col.p.380.

Having made it now plainly appear how falsely and groundlessly his Majesty is reproached with the least tergiversation or swarving from his promises or professions (which no Prince ever more precisely and religiously observed) it will be but a little expence of time, again to examine how punctuall these conscientious reprehenders of their Sovereigne, have been in the observation of what they have sworn or said.

In the first Remonstrance of the House of Commons, of the State of the Kingdome they declare, *that it is far from* Ex.Col.p.19.

from their purpose or desire to let loose the golden reines of discipline and government in the Church, to have private persons, or particular Congregations to take up what forme of divine Service they please; for (they said) they held it requisite that there should be throughout the whole Realme, a conformity to that Order which the Laws enioyne.

Ex.Col.p.203. In their Declaration of the 19 of May, speaking of the Bill for the continuance of this Parliament, they say, *We are resolved, the gracious favour His Majesty expressed in that Bill, and the advantage and security which thereby we have from being dissolved, shall not encourage us to do any thing, which otherwise had not been fit to have been done.*

Ex.Col.p.281. In the conclusion of their Declaration of the 26 of May, 1642. apprehending very justly that their expressions there would beget at least a great suspicion of their loyalty, they say, *They doubt not but it shall in the end appear to all the world, that their endeavours have been most hearty and sincere, for the maintenance of the true Protestant Religion, the Kings just Prerogatives, the Lawes and Liberties of the Land, and the Priviledges of Parliament, in which endeavours by the grace of God, they would still persist, though they should perish in the worke.*

Ex.Col.p.376. In their Declaration of the 14 of June, 1642. the Lords and Commons doe declare, *That the designe of those Propositions (for Plate and Money) is to maintain the Protestant Religion, the King's Authority and Person in His Royall dignity, the free course of Justice, the Laws of the Land, the Peace of the Kingdome, and Priviledges of Parliament.*

As they have observed these and other their professions to the King and the Publique, so they have as well kept their promises to the people; in their Propositions of the 10 of June, 1642. for bringing in Mony or Plate, the

the Lords and Commons do declare, *That no mans affection shall be measured according to the proportion of his offer, so that he expresse his good will to the Service in any proportion whatsoever*; the first designe was to involve as many as they could in the guilt, how small soever the supply was, but on the 29 of November following, the same Lords and Commons appointed Six persons, *who, or any Four of them should have power to asseſse all such persons as were of ability and had not contributed, and all such as had contributed yet not according to their ability to pay such summe or sums of mony, according to their estates, as the Assessors or any Four of them should think fit and reasonable, so as the same exceeded not the twentieth part of their Estates.*

Ex.Col.p.340.

Ex.Col.p.765.

Infinite examples of this kind may be produced, which are the lesse necessary, because whosoever will take the pains, to read their own Declarations, and Ordinances, shall not be able to find, *one protestation or profession made by them to God Almighty in the matter of Religion, or to the King in point of duty and obedience, or one promise to the people in matter of Liberty, Law, and Justice, so neer pursued by them, as that they have ever done one composed Act in Order to the performance of either of them*: which very true assertion shall conclude this Answer to that reproach of his Majesties, not having made good his Protestations.

21. The next Charge is, *That His Majesty proclaimed them Traytors and Rebels, setting up His Standard against the Parliament, which never any King of England (they say) did before Himself.*

Pag. 35.

His Majesty never did nor could proclaime this Parliament Traytors, he well knew (besides his own being the head of it) that *four parts of five of the House of Peers*

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were *never present* at any of those trayterous conclusions, and that above a *major part* of the House of Commons was *alwaies absent*, and that of those who were present, there were many, who still opposed or dissented from every unlawfull act, and therefore it were very strange, if all those innocent men of whom the Parliament consisted as well as of the rest, should have been proclaimed Rebels and Traytors for the acts of a few seditious persons, who were upon all occasions named; and if the Parliament were ever proclaimed Traytors, it was by them only who presumptuously sheltered their rebellious acts, under that venerable name, and who declared, that

Ex. Col. p. 376. *whatsoever violence should be used either against those, who exercise the Militia, or against Hull, they could not but believe it as done against the Parliament.* They should have named one person proclaimed Rebell or Traytor by the King, who is not adjudged to be such by the Law.

The King never proclaimed Sir *John Hotham* Traytor (though it may be he was guilty of many treasonable acts before till he shut the Gates of *Hull* against him, and with armed men kept his Majesty from thence, and besides the concurrent testimony of all Judgments at Law, it appears and is determined by the Lord Chief Justice *Coke* (published by the House of Commons this Parliament) in his Chapter of High Treason, *That if any with strength and weapons invasive and defensive doth hold and defend a Castle or Fort against the King and His power, this is leavying of War against the King within the Statute of the 25 year of Edw. 3.*

The King proclaimed not those Rebels or Traytors, who Voted, That they would raise an Army, and that the Earl of *Essex* should be Generall of that Army (what ever he might have done) nor the Earle of *Essex* himself

a Traytor upon those Votes, untill he had accepted that title and command of *Captaine Generall*, and in that quality appeared amongst the Souldiers, *animating and encouraging them in their trayterous and rebellious designs*, as appears by his Majesties Proclamation of the 9 of *August*, 1642. by which he was first proclaimed Traytor : and there was no other way to clear the Earle of *Essex* from being guilty of Treason by that act of his, within the expresse words of the 2 Chapter of the 25 yeare of King *Edw. 3.* but by declaring, *that by leavying war against our Lord the King in his Realme* (which in that Statute is declared to be high Treason) *is meant leavying war against the Parliament*, and yet Mr. *St. Iohn* observed in his Argument against the Earle of *Strafford*, printed by Order, that the word K I N G in that Statute must be understood of the King's naturall person, for that person can onely die, have a Wife, have a Son, and be imprisoned.

The Lord chief Justice *Coke* in his Commentary upon that Statute, saith, *If any leavy War to expulse Strangers, to deliver men out of Prisons, to remove Counsellours, or against any Statute, or to any other end, pretending Reformation, of their own head, without any warrant, this is leavying war against the King, because they take upon them Royall authority, which is against the King ; and that there may be no scruple, by that expression without warrant,* 3 Part. Instit. fol. 9. the same Author saies, in the same place, and but few lines preceding, *that no Subject can leavy War within the Realm without authority from the King, for to him it only belongeth.*

Preparation by some overt act to depose the King, or to take the King, by force and strong hand, and to imprison Him, untill he hath yeilded to certain demands, this is a suf- Id. fol. 12.

Id. fol. 9.

ficient overt act to prove the compassing and imagination of the death of the King, for this is upon the matter to make the King a Subject, and to dispoyle Him of His Kingly Office of Royall government, as is concluded by the same reverend Authour, and likewise, that to rise to alter Religion established within the Kingdome, or Lawes, is Treason.

Fol. 7.

These Declarers cannot name one person proclaimed a Rebell or Traytor by the King, who was not confessedly guilty of at least one of these particulars: and being so, the King did no more then by the Law He ought to doe; and Mr. *St. Johns* acknowledged in his Argument against the Earle of *Strafford*, that *he that leavies War against the Person of the King, doth necessarily compasse His death; and likewise that it is a War against the King, when intended for the alteration of the Lawes or Government in any part of them, or to destroy any of the great Officers of the Kingdome.*

For the setting up the Standard, it was not till those persons, who bearing an inward hatred and malice against his Majesties Person and Government had raised an Army, and were then trayterously and rebelliously marching in battle-array against his Majesty their Liege Lord and Sovereigne, as appears by his Majesties Proclamation of the 12 of *August*, 1642. in which He declared His purpose to erect His royall Standard; and after they had with an Army besieged his Majesties antient standing Garrison of *Portsmouth*, and required the same (in which the King's Governour was) to be delivered to the Parliament; and after they had sent an Army of Horse, Foot, and Cannon, under the command of the Earle of *Bedford* into the West, to apprehend the Marquesse of *Hertford*, who was there in a peaceable manner

manner without any Force, till he was compelled to raise the same for his defence, and to preserve the peace of those Counties, invaded by an Army; and then when his Majesty was compelled for those reasons to erect his Standard, with what tenderneſſe He did it towards the two Houses of Parliament, cannot better appear then by His owne words, in his Declaration published the same day on which that Proclamation issued out, which are these, *What Our opinion and resolution is concerning Parliaments We have fully expressed in our Declarations; We have said, and will still say, they are so essentiall a part of the constitution of this Kingdome, that We can attaine to no happinesse without them, nor will We ever make the least attempt (in Our thought) against them; We well know that Our self and Our two Houses make up the Parliament, and that We are like Hipocrates Twins, We must laugh and cry, live and die together; that no man can be a friend to the one, and an enemy to the other; the injustice, injury, and violence offered to Parliaments is that which We principally complaine of; and We again assure all Our good Subjects, in the presence of Almighty God, that all the Acts passed by Us this Parliament shall be equally observed by Us, as We desire those to be which do most concern Our Rights; Our quarrell is not against the Parliament, but against particular men, who first made the wounds, and will not suffer them to be healed, but make them deeper and wider by contriving, fostering, and fomenting mistakes and jealousies betwixt body and head, Us and the two Houses, whom We name, and are ready to prove them guilty of High Treason, &c.* And then his Majesty names the persons.

Ex. (ol.) 561.

This was the King's carriage towards, and mention of, the Parliament; very different from theirs, who are now possessed of the Sovereaign power; the Army; who in
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their Remonstrance of the 23 of June last, use these words, *We are in this case forced (to our great grief of heart) thus plainly to assert the present evill and mischief, together with the future worse consequences of the things lately done, even in the Parliament it self, which are too evident and visible to all, and so in their proper colours to lay the same at the Parliament Dores, untill the Parliament shall be pleased either of themselves to take notice and rid the House of those, who have any way mis-informed, deluded, surprized, or otherwise abused the Parliament to the passing such foule things there, or shall open to us and others some way, how we may, &c.* which would not have been mentioned here, if they had been onely the extravagant act, and words of the Army, but they are since justified, and made the words of the two Houses by their declaring in their late Declaration of the 4 of March, in Answer to the Papers of the Scots Commissioners, *That if there be any unsound principles in relation to Religion or the State in some of the Army, as in such a body there usually are some extravagant humours, they are very injuriously charged upon the whole Army, whereof the governing part hath been very carefull to suppress, and keep down all such peccant humours, and have hitherto alwaies approved themselves very constant and faithfull to the true interest of both Kingdomes, and the cause wherein they have engaged, and the persons that have engaged therein; so that this Remonstrance, being the Act of the Generall, Lieutenant-Generall; and the whole Councell of War, (which is sure the governing part) it is by this Declaration fully vindicated to be the Sense of the two Houses.*

Pag. 88.

Pag. 35.

22. The setting up a mock Parliament at Oxford to oppose and protest against the Parliament of England, which his Majesty and both Houses had continued by
Act

Act of Parliament, is in the next place objected against his Majesty.

There was neither reall nor mock Parliament set up at *Oxford*, but when the King found that most of the Members of either House were driven from *Westminster* by force as his Majesty had been, and yet that the authority and reputation of Parliament was applied for the justification of all the rebellious Acts which were done; even to the invitation of Forain power to invade the Kingdome; as well for the satisfaction of His people that they might know how many of the true Members of Parliament abhorred the acts done by that pretended authority; as for His owne information, his Majesty by his Proclamation of the 22 of *Decemb.* in the year, 1643. invited all the Members of both Houses, who had been driven, or (being conscious of their want of freedome) had withdrawn from *Westminster*, to assemble at *Oxford* upon the 22 of *January* following; when (He said) *all His good Subjects should see how willing He was to receive advice for the Religion, Laws, and safety of the Kingdome, from those whom they had trusted, though He could not receive it in the place where He had appointed*; Upon which Summons and Invitation by his Majesty, eight and forty Peers attended his Majesty, there being at least twenty others imployed in his Armies, and in the severall Counties, whose attendance was dispenced with, and nine others in the parts beyond the Seas, with his Majesties leave; and of the House of Commons above one hundred and forty, there being likewise absent in the Armies neer thirty more, who could not be conveniently present at *Oxford*.

When his Majesty found the appearance so great, and so much superiour in number, as well as quality, to those
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at *Westminster*, He hoped it would prove a good expedient to compose the minds of the other to a due consideration of the misery, into which they had brought their Country; and referred it to them to propose any advice, which might produce so good an effect; what addresses and overtures were then made by them, and afterwards by His Majesty to perswade them to enter upon any Treaty of Peace, and with what contempt and scorne the same was rejected, will be too long to insert here, and is sufficiently known to the world; thereupon this body of Lords and Commons published a Declaration to the Kingdome, at large setting forth the particular acts of violence, by which they had been driven from *Westminster*, and by which the freedom of Parliament was taken away, and then declared how much they abhorred the undutifull and rebellious acts, which were countenanced by those who staid there, and declared their own submission and allegiance to his Majesty; and in the end concluded, *That as at no time either or both Houses of Parliament can by any Orders or Ordinances impose upon the people without the King's consent, so by reason of the want of Freedom and Security for all the Members of the Parliament to meet at Westminster, and there to sit, speak, and vote with freedom and safety, all the Actions, Votes, Orders, Declarations and pretended Ordinances made by those Members who remaine still at Westminster were void and of none effect; yet they said they were far from attempting the dissolution of the Parliament, or the violation of any Act made and confirmed by his Majesty, but that it was their grief in the behalf of the whole Kingdome, that since the Parliament was not dissolved, the power thereof should by the treason and violence of those men, be so far suspended, that the Kingdome should be without the fruit*
and

and benefit of a Parliament, which could not be reduced to any action, or authority, till the liberty and freedom due to the Members should be restored and admitted; which Declaration hath not onely ever received any Answer, but with great care hath not been suffered to be printed in the last Collection of Orders and Declarations, where the other proceedings at *Oxford* of that time are set forth, that the people may lose that evidence against them, which can never be answered or evaded.

This was that Assembly, which these Declarers call the *mock Parliament at Oxford*, and these the proceedings of it; of the justice and regularity whereof, if there could have been heretofore any doubt made, the same is lately vindicated sufficiently by both Houses: for if those Lords and Commons at *Oxford* might not justifiably absent themselves from *Westminster*, where their safety and freedom was taken from them; by what right or authority could a smaller number withdraw themselves in *July* last upon the same pretence? and if that body of Lords and Commons regularly convened by his Majesties Authority to *Oxford*, who had first called them together at *Westminster*, might not declare the Acts made by those who remained at *Westminster* void and of none effect, because they might not attend there and Vote with freedom and safety; by what imaginable authority could the Speaker of the House of Commons (who hath no more freedom or power to make any such Declaration, then every single Member of the House) declare, *that such and such Votes passed in the House were void and null: and that the omission of a circumstance or some formality in the adjournment of the Houses could not be any prejudice to the future meetings and proceedings of Parliament, when it might meet and sit again as a free Parliament*, as he did by

Decl. and Pa-
pers of the Ar-
my, p. 127.

his own single Declaration in *July* last : whereupon that powerfull Umpire (the Army) very frankly declared, *That all such Members of either House of Parliament, as were already with the Army for the security of their persons and were forced to absent themselves from Westminster, that they should hold and esteeme them, as persons in whom the publique trust of the Kingdome was still remaining, though they could not for the present sit as a Parliament with freedome and safety at Westminster, and by whose advice and counsels they desired to governe themselves in the managing those weighty affairs; and to that end invited them to make their repair to the Army, and said, they held themselves bound to own that honourable act of the Speaker of the House of Commons, who had actually withdrawn himself, and they engaged to use their utmost and speedy endeavour, that he and those Members of either House, that were then inforced any way from Westminster, might with freedome and security sit there, and againe discharge their trust, as a free and legall Parliament; and in the meane time, they did declare against that late choice of a new Speaker by some Gentlemen at Westminster, as contrary to all right, reason, law, and custome, and professed themselves to be most cleerly satisfied in all their judgments, and were confident the Kingdome would therein concur with them; that as things then stood, there was no free nor legall Parliament sitting, being through the foresaid violence at present suspended; and that the Orders, Votes, or resolutions forced from the Houses on Munday the 26 of July last, as also all such, as should passe in that Assembly of some few Lords and Gentlemen at Westminster, under what pretence and colour soever, were void and null, and ought not to be submitted to by the free-borne Subjects of England.*

It is not denied, that the presentation of those humble desires

desires of the young men and Apprentices of the City of *London* to both Houses on the 26 of *July* last, by which they compelled them to reverse and repeale two severall Acts of both Houses passed but three daies before, was most destructive to the priviledge and freedome of Parliament; and no question the Speakers and Members of both Houses had good reason to withdraw and absent themselves upon that violation; but it is affirmed, that the freedome of Parliament, was as much obstructed by severall other acts preceding, as it was on the 26 of *July* last; and that the Members of both Houses, who attended his Majesty at *Oxford*, had as great reason to withdraw themselves, and at least, as much authority to declare their want of freedome, as the Speaker and the others had then, or the Army to declare on their behalfs.

When the Tumults brought down by *Manwaring* and *Ven*, compelled the House of Peers to passe the Act of Attainder against the Earle of Strafford, to which the fifth part of the Peers never consented, (the rest being driven from thence) and afterwards so absolutely forced his Majesty to signe it, that it cannot be called His Act, His hand being held and guided by those who kept Daggers at His Breast, and so His royall name affixed by them; and it being told Him at His Counsell board, by those who were sworn to defend Him from such violence, that *if it were not done in that instant, there would be no safety for Himself, His royall Consort, or His Progeny*, the Rabble having at that time besieged His Court: The freedome of Parliament was no lesse invaded, then it was on the 26 of *July* last.

When the same Captain *Ven*, then a Member of the House of Commons (in *November* and *December*, 1642.)

Decl. Lords &
Commons,
Oxf. f. 8. 9.

sent notes in writing under his hand into the City, *that the people should come downe to Westminster, for that the better part of the House was like to be over-powred by the worser part, whereupon at that time and some daies after multitudes of the meanest sort of people, with Weapons not agreeing with their condition, or custome, in a manner contrary and destructive to the priviledge of Parliament, filled up the way between both Houses, offering injuries both by words and actions to, and laying violent hands upon severall Members, proclaiming the names of severall of the Peers, as evill and rotten hearted Lords, crying many howers together against the established Laws in a most tumultuous and menacing way; and when this act was complained of to the House of Commons, and Witnesses offered to prove Capt. Ven guilty of it; and a Fellow who had assaulted and reproached a Member of the House of Commons in those Tumults coming again to that Bar with a Petition shewed, and complained of to that House; and yet in neither of these cases, justice, or so much as an Examination could be obtained, and when these proceedings were so much countenanced by particular Members, that when the House of Peers complained of them as derogatory to the freedome as well as dignity of Parliament; Mr. Pim said, God forbid we should dishearten our friends, who came to assist us: no doubt the freedome and safety of the Parliament was no lesse in danger and violated then it was on the 26 of July last.*

When in *January, 1642.* (after the first Proposition concerning the *Militia* was brought to the House of Peers, and by them rejected) a Petition was brought in a tumultuous manner to the House of Lords, in the name of the Inhabitants of *Hertford-shire*, desiring liberty to protest against all those as enemies to the Publique, who refused

refused to joyne with the Honourable Lords, whose endeavours were for the publique good, and with the House of Commons for the putting the Kingdome into a posture of safety under the command of such persons, as the Parliament should appoint; when other Petitions of that nature, and in the same manner delivered, were presented to that House, concluding that they should be in duty obliged to maintain their Lordships, so far as they should be united with the House of Commons in their just and pious proceedings; when at the same time a Citizen accompanied with many others said at the Bar of the House of Commons, without reprehension, That they heard there were Lords, who refused to consent and concur with them, and that they would gladly know their Names.

When that signall Petition of many thousand poor people was delivered to the House of Commons, which took notice of a Malignant faction, that made abortive all their good motions, and professed that unlesse some speedy remedy were taken for the removing all such obstructions, as hindred the happy progresse of their great endeavours, the Petitioners would not rest in quietnesse, but should be forced to lay hold on the next remedy, that was at hand to remove the disturbers of the peace; and when that monstrous Petition was carried up to the House of Peers, by an eminent Member of the Commons, as an Argument to them to concur with the Commons in the matter of the Militia; and that Member desired, That if the House of Commons was not assented to in that point, those Lords who were willing to concur, would find some means to make themselves known, that it might be known, who were against them, and they might make it known to those who sent them: Upon which Petition so strangely framed, countenanced, and seconded, many Lords thereupon

1b. p. 12.

withdrawing themselves, in pure fear of their lives, the Vote in Order to the *Militia* twice before rejected, was then passed : The freedom of Parliament was as absolutely invaded, as it was on the 26 of *July* last.

In *August*, 1643. the House of Commons agreed, after a long and solemn debate to joyne with the Lords in sending Propositions of Peace to the King ; the next day printed Papers were scattered in the Streets, and fixed upon the publique places both in the City, and the Suburbs, *requiring all persons wel-affected, to rise as one man, and to come to the House of Commons next morning, for that 20000 Irish Rebels were landed;* which direction and information was that day likewise given in Pulpits by their seditious Preachers; and in some of those Papers it was subscribed, *that the malignant Party had over-voted the good, and if not prevented, there would be Peace ;* a Common Councill was called late at night, though Sunday, and a Petition there framed against Peace, which was the next morning brought to the House, countenanced by Alderman *Penington*, who (being then Lord Mayor of *London*) that day came to the House of Commons, attended with a great multitude of mean persons, who used threats, menaces, and reproaches to the Members of both Houses ; their Petition took notice of *Propositions passed by the Lords for Peace, which (if allowed) would be destructive to Religion, Laws, and Liberties, and therefore desired an Ordinance according to the tenour of an Act of their Common Councill the night before ;* Thanks were given by the Commons, whilst the Lords complained of the Tumults, and desired a concurrence to suppress them, and to prevent the like, many of the people telling the Members of both Houses, *that if they had not a good Answer, they would be there the next day,*
with

with double the number : by these threats, and this violence, the Propositions formerly received were rejected, and all thoughts of Peace laid aside : and then surely the freedome of Parliament was as much taken away, as on the 26 of *Iuly* last.

In a word, when the Members of both Houses were compelled to take that Protestation, *to live and die with the Earle of Essex*, and some imprisoned and expelled for refusing to take it, when they were forced to take that sacred Vow and Covenant of the 6 of *Iune*, 1643. by which they swore, *that they would to their power assist the Forces raised and continued by both Houses of Parliament against the Forces raised by the KING* ; when they were compelled to take the last solemn League and Covenant, that *Oath Corban*, by which they conceive themselves absolved from all obligations divine and humane, as their Predecessours (the Jewes) thought they were discharged by that (though they had bound themselves) not to help or relieve their Parents ; and lastly, when the Army marched to *London* in the beginning of *August* last, in favour of the Speakers and those Members, who had resorted to them, and brought them back to the Houses, and drove away some, and caused others of the Members of a contrary Faction to be imprisoned, and expelled the Houses, the liberty and freedome of Parliament was no lesse violated and invaded, then it was on the 26 of *Iuly* last.

Upon these reasons, and for want of the freedome so many severall waies taken from them, those Lords and Commons, who attended his Majesty at *Oxford*, had withdrawne themselves from *Westminster*, and might then, as truly and more regularly have said, what the Army since with approbation and thanks have said, on the

Decl. and Pa-
pers of the A-
my, p. 53.

the 22 of June last, *That the freedome of this Parliament is no better, then that those Members, who shall according to their consciences endeavour to prevent a War, and act contrary to their waies; who (for their owne preservation) intend it, they must do it with the hazard of their lives:* which being a good reason for those lately to go to *St. Albons or Hounslow heath*, cannot be thought lesse justifiable for the other to go to *Oxford*.

Since this objection of calling the Members of Parliament to *Oxford* is not of waight enough to give any advantage against his Majesty to His Enemies, they endeavour to make their entertainment and usage there very reproachfull with His friends, and would perswade them to believe themselves derided in that expression of the Kings in a Letter to the Queen, where He calls them a *Mungrell Parliament*, by which they infer, what reward His own Party must expect, when they have done their utmost to shipwrack their faith and conscience to his will and tyranny.

Indeed they, who *shipwrack their faith and conscience* have no reason to expect reward from the King, but those Lords and Gentlemen who attended his Majesty in that convention well know, that never King received advice from His Parliament with more grace and candor, then his Majesty did from them; and their consciences are too good to think themselves concerned in that expression, if his Majesty had not Himself taken the pains to declare to what party it related; besides, it is well known, that some who appeared there with great professions of loyalty, were but Spies, and shortly after betrayed his Majesties service, as *Sir John Price* and others in *Wales*, and some since have alleaged in the House of Commons, or before the Committee for their defence

fence to the Charge of being at *Oxford* at that Assembly, *That they did the Parliament more service there, then they could have done at Westminster*; So that the KING had great reason to think He had many Mungrels there.

23. The last Charge is the making a *Pacification in Ireland*, and since that a *Peace*; and granting a Commission to bring over *ten thousand Irish to subdue the Parliament, and the rebellious City of London*, and the conditions of that peace. Pag. 36.

That loud clamour against the Cessation in *Ireland* was so fully & clearly answered by the King's Cōmissioners at the Treaty at *Uxbridge*, that there can no scruple remain with any, who have taken the pains to read the transactions in that Treaty; it plainly appears, that the King could not be induced to consent to that Cessation, till it was evident that His Protestant Subjects in that Kingdome could not be any other way preserved; The Lords Justices and Councell of that Kingdome signified to the Speaker of the House of Commons by their Letter of the 4 of *April*, (which was above six Months before the Cessation) *That his Majesties Army and good Subjects there, were in danger to be devoured for want of needfull supplies out of England, and that His Majesties Forces were of necessity sent abroad, to try what might be done for sustaining them in the Country, to keep them alive till supplies should get to them, but that designe failing them, those their hopes were converted into astonishment, to behold the miseries of the Officers and Souldiers for want of all things, and all those wants made insupportable in the want of food, and divers Commanders and Officers declaring they had little hope to be supplied by the Parliament, pressed with so great importunity to be permitted to depart the Kingdome, as that it would be extreame difficult to keep them there,*

Relat. of the
Treaty, p. 141.

and in another part of that Letter, they expressed, that they were expelling thence all Strangers, and must instantly send away for England thousands of poor dispoyled English, whose very eating was then insupportable to that place, that their confusions would not admit the writing of many more Letters, if any, (for they had written divers others expressing their great necessities :) And to the end His Majesty and the English Nation, might not irrecoverably and unavoidably suffer, they did desire, that then (though it were almost at the point to be too late) Supplies of Victuall and Ammunition in present might be hastened thither to keep life, untill the rest might follow, there being no Victuall in the Store, nor a hundred Barrels of Powder (a small proportion to defend a Kingdome) left in the Store, when the out-Garrisons were supplied, and that remainder according to the usuall necessary expence besides extraordinary accidents would not last above a Month; and in that Letter they sent a Paper signed by sundry Officers of the Army delivered to them, as they were ready to signe that dispatch, and by them apprehended to threaten imminent danger; which mentioned that they were brought to that great exigent, that they were ready to rob and spoile one another, that their wants began to make them desperate; That if the Lords Justices and Councell there did not find a speedy way for their preservation, they did desire, that they might have leave to go away; that if that were not granted, they must have recourse to the law of nature, which teacheth all men to preserve themselves.

The two Houses, who had undertaken to carry on that War, and received all the Mony raised for that Service, neglecting still to send supplies thither; the Lords Justices, and Councell by their Letters about the middle of May, advertised the King, That they had no Victuall,
Clothes

Cloths, or other provisions, no Money to provide them of any thing they want; no Armes, not above forty Barrels of Powder; no strength of serviceable Horse; no visible means by Sea or Land of being able to preserve that Kingdome. And by others of the 4 of Iuly, that his Armies would be forced through wants to disband or depart the Kingdome, and that there would be nothing to be expected there, but the instant losse of the Kingdome, and the destruction of the remnant of his good Subjects yet left there.

Coll. Ord.
2. vol. p. 343.

This was the sad condition of that miserable Kingdome, to whose assistance his Majesty was in no degree (of Himself) able to contribute; and His recommendation and interposition to the two Houses, whom He had trusted, was so much contemned; that when upon their Order to issue out, at one time, *one hundred thousand pounds* of the Monies paid for Ireland, to the supply of the Forces under the Earl of Essex, (albeit it was enacted by the Law upon which those Monies were raised, *that no part of it should be employed to any other purpose then the reducing the Rebels of Ireland*) His Majesty by a speciall Message advised and required them to retract that Order, and to dispose the Monies the right way, the necessities of Ireland being then passionately represented by those upon the place, they returned no other satisfaction or Answer to his Majesty, but a Declaration, *That those directions given His Majesty for the retracting of that Order, was a high breach of priviledge of Parliament.*

Ex. Col. p. 570.

When His Majesty perceived that no assistance was, or was like to be applied to them, and that the Enemy still increased in strength & power, He referred the consideration and provision for themselves, to those, whose safeties and livelyhoods were most immediately concerned, and who were the nearest witnesses of the distresses, and

the best Judges, how they could be borne, or how they were like to be relieved ; and so with the full advice and approbation of the Lords Justices and Councell there, and concurrent opinion of all the chief Officers of the Army, that Cessation was made, by which onely the Protestants in that Kingdome, and His Majesties interest there could at that time have been preserved.

Of this Cessation, neither His Majesties good Subjects in that or this Kingdom, have reason to complain. Examine now the peace, which they say was afterwards made, on such odious, shamefull, and unworthy conditions, that His Majesty Himself blushed to owne, or impart to His owne Lieutenant the Earle of *Ormond*, but a private Commission was made to the Lord *Herbert* to manage it.

Whilst the King had any hope of a tolerable peace in this, or a probable way of carrying on the War in that Kingdome, He never gave a Commission to conclude a peace there, and it plainly appears by the relation of the Treaty at *Uxbridge*, (to the truth of which there hath not been the least objection) the Acts of the Commissioners of both sides being extant, that there was no expedient proposed (though desired often on the King's party) for the proceeding in that War, but that His Majesty would quit absolutely all His Regall power in that Kingdome, and so put all His Subjects there (English and Irish) out of His protection, into that of the two Houses of Parliament here, who at the same time were fighting for the same Supremacy in this, and who had at the same time disposed a greater power thereof to the Scots, then they reserved to themselves ; it concerned the King then in piety and policy, in His duty to God and man, to endeavour to preserve that Kingdom by a peace,
which

which He could not reduce by a war, and to draw from thence such a body and number of His own Subjects, as might render Him more considerable to those, who, having put off all naturall allegiance, and reverence to his Majesty, looked only what power and strength, and not what right He had left.

The peace that was concluded, was upon such tearms and conditions, as were in that conjuncture of time just and honourable; and when it could not be continued without yeilding to more shamefull and lesse worthy conditions, the Marquesse of *Ormond*, his Majesties Lieutenant of that Kingdome, (who had the sole and intire authority from his Majesty to conclude a peace, and against whom all their envy, and all their malice, hath not been able to make the least objection) best knowing his Masters mind, chose rather to make no peace, and to trust providence with his Majesties Rights, then to consent to such Propositions; nor had the Lord *Herbert* ever any Commission to make a peace there, but being a person, whose loyalty and affection to his service, the King had no reason to suspect, and being of the same Religion with the Enemy, might have some influence upon them, was qualified with such a testimony, as might give him the more credit amongst them to perswade them to reason: His restraint and commitment was very reall by the whole Councell board there, though when it appeared that his errors had proceeded from unskilfulnesse and unadvisednesse, and not from malice, he was afterwards enlarged by the same power.

The unnaturall conclusions and inferences these men make from what the King hath said or done, applying actions done lately, to words spoken seven years before, cannot cast any blemish upon the Kings Religion, which

shines with the same lustre in Him, as it did in the primitive Martyrs; and even those Letters taken at *Nazareth*, (which no wise Rebel, or gallant Enemy would have published) will to posterity appear as great Monuments of His zeale to the true Protestant Religion, in those straits in which He was driven by those who professed that Religion, as any Prince hath left, or have been left by any Prince since Christianity was imbraced: And if that Religion should prosper with lesse vigour, then it hath done, and the Christian and Pagan world have lesse reverence towards it, then they have had, these Reformers may justly challenge to themselves the honour and glory of that declension, and triumph in the reproaches they have brought upon the most Orthodox Church, that hath flourished in any age since the Apostles time.

These Charges and reproaches upon the King, which have been now particularly examined and answered, and of which the world may judge, are aggravated by the King's so often refusing their addresses for peace; the truth of which suggestions (though for method sake the Order of their Declaration hath been inverted) must be now considered, and all of that kind, which is scattered and dis-jointed in the Declaration, shal for the same method sake be gathered together and resolved; and in this Argument they seem to think, they are so much upon the advantage ground, that they are rather to make an Apology to the world, for having so often made Addresses to their King, then for resolving to doe so no more; that is, for enduring so long to be Subjects, then for resolving hereafter to be so no more.

The truth is, they never yet made any one addresse for peace; onely somtime offered to receive his Crown, if his

his Majesty would give it up to them, without putting them to fight more for it, for other sense or interpretation, no Propositions yet ever sent to Him can bear; and whereas they say, *they must not be so unthankfull to God, as to forget they were never forced to any Treaty*, it is affirmed, that there are not six Members, who concur in this *Declaration*, who ever gave their consent to any Treaty, that hath yet been, but when they were forced by the major part to consent to it, they were so unthankfull to God for the opportunity of restoring a blessed peace to their Country; that they framed such Propositions, and clogged their Commissioners with such Instructions, as made any Agreement impossible.

Though no Arithmetique, but their own, can reckon those *Seventimes*, in which they have made such applications to the King, and tendred such Propositions, *that* Pag. 7. *might occasion the world to judge, they had not only yeilded up to their wills and affections, but their reason also, and judgment, for obtaining a true peace and accommodation*; yet it will be no hard matter shortly to recollect the overtures, which have bin made on both sides, and thence it may best appear whether *the King, never yet offred any thing fit for them to receive, or would accept of any tender fit for them to make.*

What Propositions were made by them to prevent the War, need not be remembred, who ever reads the *nineteen* sent to Him to *Yorke*, will scarce be able to name one Sovereigne power, that was not there demanded from him; nor can they now make Him lesse a King, then He should have been, if He had consented to those.

After His Standard was set up, and by that his Majesty had shewed that He would not ramenteely be stripped of His Royall power, without doing His best to defend

it, He sent a Message before bloud was yet drawn from
 Ex.Col.p.579. Nottingham, *to desire that some fit persons might be in-
 abled by them, to treat with the like number, to be autho-
 rized by His Majesty, in such a manner, and with such free-
 dome of debate, as might best tend to that happy conclusion,
 which all good men desired, The peace of the Kingdome; to
 which gracious overture from His Majesty, the Answer
 was, that untill the King called in His Proclamations and
 Declarations, and took down His Standard, they could give
 Him no Answer.*

Page. 580.

And at the same time published a Declar: to the King-
 dome, *That they would not lay down their Arms, untill the
 King should withdraw His protection from all such persons;*
 Ex.Col.p.575. *as had been voted by both Houses to be Delinquents; or
 should be voted to be such; that their Estates might be dispo-
 sed to the defraying of the charges the Common-wealth
 had been put to; And who they meant by those Delin-
 quents, they had in a former Declaration to the Inhabi-
 tants of York-shire expressed, that all persons should have
 reparation out of the Estates of all such persons in any part
 of the Kingdome whatsoever, who had withdrawn them-
 selves to Yorke, and should persist to serve the King, &c.*
 This was one of their Applications, in which they had
 yeilded up their wills and affections, and their reason and
 judgment for obtaining peace.

Page. 9.

They say, they have cause to remember that *the King
 sometimes denied to receive their humble Petitions for peace:*
 the which they had rather should be believed in grosse,
 then trouble themselves with setting down the time, and
 manner when it was done; but out of their former wri-
 tings it is no hard matter to guesse what they meane:
 When the KING was at *Shrewsbury*, and the Earle of
Essex, at *Worcester* towards the end of *September, 1642.*
 the

the two Houses sent a Petition to their Generall, to be presented to His Majesty in some safe and honourable way; In which Petition they most humbly besought his Majesty, *to withdraw His Person from His own Army, and to leave them to be suppressed by that power, which they had sent against them, and that He would in peace and safety without His Forces return to His Parliament.* The Earl of Essex by Letter to the Earle of Dorset, who then attended his Majesty, intimated that He had a Petition from both Houses to be delivered to his Majesty, and for that purpose desired a safe Conduct for those, who should be sent with it; The Earle of Dorset (by his Majesties command) returned Answer, *That as He had never refused to receive any Petition from His Houses of Parliament, so He should be ready to give such a reception and Answer to this, as should be fit, and that the Bringers of it should come and go with safety, onely He required that none of those persons, whom He had particularly accused of High Treason (which at that time were very few) should by colour of that Petition be employed to His Majesty.* This Answer was declared to be a breach of priviledge, and so that Petition, which (as His Majesty saies in His Answer to the Declaration of the 22 of October) *was fitter to be delivered after a Battle and full Conquest of Him, then in the head of His Army, when it might seem somewhat in His power whether He would be deposed or no,* was never delivered to his Majesty, and this is the Petition, which they now say He sometimes denied to receive.

Ex.Col.p.632.

Ex.Col.p.699.

They say that when they desired Him to appoint a place for a Committee of both Houses to attend His Majesty with Propositions for Peace, He named Windsor, promising to abide thereabouts till they came to Him, but presently marched forward so neer London, that He had almost surprized

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it,

it, whilst He had so engaged Himself for a Treaty.

Ex.Col.p.745. This likewise refers to the Petition sent to his Majesty at *Colebrooke*; and all the circumstances were fully answered by his Majesty in his Declaration upon that occasion, when this aspersion was first unreasonably cast upon Him; It is true, after the Battle at *Edge-hill*, when they could no longer perswade their friends of the City, that the King's Forces were scattered, and their Army in pursuit of Him, but instead thereof, they had pregnant evidence, that his Majesties Army was marching towards them, and was possessed of *Reading*, whilst the Earl of *Essex* continued still at or about *Warwicke*, on the 2 of *November*, they resolved to send an Overture to his Majesty concerning Peace; and though it must not be said they were forced to that Addresse, yet truly who ever reads that Petition which was brought to his Majesty to *Colebrooke*, will be of opinion by the stile of it, that they were fuller of fear, or of duty, then they were when they rejected his Majesties offer from *Notingham*; or then they were ten daies after, or ever since: That Petition was answered with all imaginable candor by his Majesty; and *Windsor* chosen if they would remove their Garrison out of it, for the place of Treaty: But when the Messengers were returned, who made not the least mention of a Cessation, it appeared by sure intelligence that the Earl of *Essex*, who had the night before brought his Army to or neer *London*, after those Messengers were dispatched to his Majesty, had drawn a great part of his Forces, and the *London* Traine bands towards his Majesty, and sent others to *Atton* on the one side, and *Kingston* on the other; so that there being likewise a Garrison at *Windsor*, if the King had staid at *Colebrooke*, He had been insensibly hemmed in, and surrounded by the
Enemy;

Enemy ; whereupon He took a sudden resolution to advance to *Brainceford*, thereby to compell them to draw their Body together, & so making His way through that Towne with the defeat of a Regiment or two which made resistance there, and thereby causing those at *Kingston* to remove, the King went to His own House at *Hampton Court*, and having there in vaine expected the Commissioners from the Houses to Treat, retired to *Reading*, where He staid, till He found they had given over all thought of Treaty, and they sent Him a new scornfull Petition, *to returne to His Parliament with His Royall, not His Martiall attendance.*

In *January* following, the importunity of the City of *London*, and generall clamour of the people forced them to pretend an inclination to peace ; and so they sent Propositions to his Majesty, which though but 14 in number, contained the whole matter of the former 19. with an addition of some Bills ready passed the two Houses, to which His royall assent was demanded, one of which was for the extirpation and eradication of the whole frame of Church-government ; and another for the confirming an Assembly of such Divines as they had chosen, to devise a new Government, which they were so much the fitter to be trusted with, because in the whole number, (which consisted of above one hundred, and might be increased as they thought fit) there were not above a dozen, who were not already declared Enemies to the old, to the which notwithstanding there were few of them who had not subscribed, and a promise required from his Majesty, *that He would give His assent to all such Bills which the two Houses should hereafter present to Him, upon consultation with that Assembly.*

How extravagant soever these Propositions were, the

Coll. Ord.
2 vol. p. 52.

King so much subdued and suppressed His Princely indignation, that He drew them to a Treaty even upon those Propositions, expecting (as He expressed in His Answer, when He proposed the Treaty) *that such of them as appeared derogatory from, and destructive to His just Power and Prerogative, should be waved, and many other things that were darke and doubtfull in them, might be cleared and explained upon debate; and concluding that if they would consent to a Treaty, they would likewise give such authority and power of reasoning to those, whom they should trust, that they might either give or take satisfaction upon these principles of piety, honour, and justice, as both sides avowed, their being governed by.*

How that Treaty was managed, how their Commissioners were limited and bound up by their Instructions, that they had no power to recede from the least materiall tittle of the Propositions upon which they treated; how they were not suffered to stay one houre beyond the time first assigned to them, albeit his Majesty earnestly desired the Treaty might be continued, till He had received an Answer to Propositions of His owne, which He had sent to the Houses, because the Committee had no power to answer them; and how the same day their Commissioners left *Oxford*; the Earl of *Essex* marched with his whole Army to besiege *Reading*, is known to all men, who may conclude thereupon, that they never intended that Treaty should produce a peace.

On the other side, the King proposed only, *That His Ships might be restored to Him, and His Castles, and Revenue, which by the confession of all had been violently taken from Him; and that His Majesty and the Members of both Houses, who had been driven from Westminster might either return thither, upon such a provision as might secure them*

them against Tumults for the future ; or that the Parliament might be adjourned to some safe place, and so all Armies presently to be disbanded : To which Proposition from his Majesty, they never vouchsafed to return Answer, and the King after He had above a Month in vain expected it from them ; and in that time received a good supply of Ammunition, which He was before thought to want, sent another Message by Mr. Alexander Hamden on the 19 of May, 1643. in which He told them, That when He considered that the scene of all the calamity was in the bowels of His own Kingdome, that all the bloud which was spilt was of His owne Subjects ; and that what victory it should please God to give Him, must be over those who ought not to have lifted up their hands against Him ; when He considered that those desperate civill. dissentions, might encourage and invite a forain Enemy to make a prey of the whole Nation ; That Ireland was in present danger to be lost ; That the heavy judgments of God, Plague, Pestilence, and Famine, would be the inevitable attendants of this unnaturall contention ; and that in a short time there would be so generall a habit of uncharitablenesse and cruelty, contracted throughout the Kingdome, that even peace it self would not restore His people to their old temper and security ; His Majesty could not suffer Himself to be discouraged though He had received no Answer to His former Message, but by this did again with much earnestnesse desire them to consider what He had before offred, which gave so fair a rise to end those unnaturall distractions.

This most gracious Message from the King, met with so much worse entertainment and successe then the former, as it was not only ever Answer'd, but the Messenger likewise (being a Gentleman of quality and singular integrity) though he was civilly received by the House of

Coll. O. d.
2 vol. p. 181.

Lords, to whom he was directed, was by the House of Commons apprehended and imprisoned, and never after freed from his restraint, till he ended his life, after a long and consuming sickness.

Page 10.

This is the Messenger they mean, who (to excuse their inhumanity and cruelty towards him) they say, *at the same time he brought a specious Message of renewing a Treaty, was instructed how to manage that bloody Massacre in London, which was then designed by virtue of the Kings Commission, since published.*

Before any thing be said of that Plot, it is known, that Gentleman was imprisoned many daies before there was any mention of a Plot ; and the House of Peers solemnly expostulated the injury done to them in it, and in vaine required his enlargement, which they would not have done, if there had been any other objection against him, then the coming without a Passe from their Generall, which was never understood to be requisite, till the House of Commons very few daies before declared it to be so, albeit themselves sent Messengers to the King without ever demanding a Passe.

Coil. Ord.
2. vol. p. 199.

Now to the Plot it self ; They have indeed published a Narration of that Plot, which served their turn barbarously to put two very honest men to death, and to undoe very many more ; and it is very probable they made that relation as full and clear, as their evidence enabled them to do, and yet who ever reads it, cannot conclude reasonably, that there was ever more in it, then a communion between honest men, of good reputation and fortunes, and desirous of peace, how they might be able to discountenance that disorderly rabble, which upon all occasions protested against peace, by appearing as strong and considerable in numbers as they, and which certainly

ly ought to have found as great countenance and encouragement from the Parliament, as the other ; these discourses produced a disquisition of the generall affections of the City, and that a more particular computation and estimate of the inclinations of particular men, and so mention of severall things which in such and such cases would be necessary to be done ; and these discourses being by the treachery of a Servant discovered to those, who could compound Plots and Conspiracies out of any Ingredients, they joyned those and a Commission they had likewise met with, together, and so shaped a Conspiracy, that they used as a Scar-crow to drive away any avowed and publique inclinations for peace, the pressing whereof at that time was like to prove inconvenient to them ; but those discourses, and that Commission, had not the least relation to each other, nor was there one man, who was accused of or privy to those discourses, whose name was in that Commission, or indeed privy to it, which had issued out a good time before, and was to have been made use of (being no other then a fair legall Commission of Array in English) if the Kings motion with His Army towards those parts gave the people so much courage to appear for Him ; nor can there be a sober objection against the Kings granting such a Commission, when they had their Ordinances ready upon all occasions, to be executed in the Kings Quarters, and had named Commissioners for that purpose in all the Counties of the Kingdome.

But to proceed, in the Overtures for peace, from the end of the Treaty at *Oxford*, which was in *April*, 1643. they never made one Overture or Addresse to his Majesty towards peace, till the end of *November*, 1644. in the mean time what approaches the King made towards
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it must be remembred: After the taking of *Bristol*, when his Majesties strength and power was visible and confessed in the West, and in the North, and the Enemies condition apparently low, and in many of their opinions even desperate; the King albeit His last Messenger was still in Prison, and no Answer to his Messages, by His Declaration of the 30 of *June*, again renewed all the professions and offers He had before made, and told them, *that revenge and blood-thirstinesse had never been imputed to His Majesty by those, who had neither left His government or nature un-examined with the greatest boldnesse and malice, and therefore besought them to return to their Allegiance*: what passed from his Majesty himself, and from the Lords and Commons at *Oxford* in *March* following, and with what importunity, they desired there might be a Treaty, by which some waies & means might be found, how a peace might be procured, and how peremptorily and disdainfully they rejected that desire in their Answer to his Majesty of the 9 of *March*, because the greatest, and the greatest number of the Peers of the Kingdome, and the greatest part of the House of Commons, then with his Majesty at *Oxford*, seemed by Him to be put in an equall condition with them at *Westminster*; though they had been content since to put the Officers of the Army into at least an equall condition with them, by treating with them, is to be seen and read, and needs no repetition.

In *July* following, which was in the year 1644. after He had routed the best part of Sir *William Waller's* Army, and taken his Cannon, his Majesty sent from *Exeter* another Message to the two Houses, to desire them, *that there might yet be a Cessation; and that some persons might be sent to Him with any Propositions that might be*
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for the good of His people, and He would condescend to them: to which they never returned Answer.

Two Months after, on the 8 of September, when He had totally defeated the Army of the Earl of Essex in Cornwall, taken all their Cannon, Armes, and Baggage; the King again sent to them, *that the extraordinary successe with which God had blessed Him in so eminent a manner, brought Him no joy for any other consideration, then for the hopes He had, that it might be a means to make others lay to heart, as He did, the miseries brought and continued upon this Kingdome by this unnaturall war, and that it might open their ears, and dispose their minds to imbrace those offers of peace and reconciliation, which had been so often and so earnestly made unto them by Him, and from the constant and fervent endeavours of which He resolved never to desist: and so conjured them to consider His last Message and to send Him an Answer: To this Message likewise, they never sent Answer: and these were the tenders made by his Majesty, which they say were never fit for them to receive; we shall now proceed to those they thought fit to offer, and accuse his Majesty for not accepting.*

On the 23 of November, 1644. the Committee from the two Houses brought the Propositions to the King, which, they say, were agreed on by the Parliaments of both Kingdoms not only as just, but necessary also for the very being of these Kingdoms in a settled peace and safety: And which required his Majesty to resigne up all His Regall power in His three Kingdomes, to those who sent those Propositions; to take their Covenant, and injoyne all others to take it; and to sacrifice all His owne Party (who had served Him honestly and faithfully) to the fury and appetite of those, who had cast off

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their Allegiance to Him, and to leave Himself the meer empty name of a King.

How the twenty daies were afterwards spent at *Uxbridge*, is published to the world, in which the last observation made by the King's Commissioners must not be forgotten, *That after a War of neer foure years, for which the defence of the Protestant Religion, the Liberty and Property of the Subject, and the Priviledges of the Parliament, were made the cause and grounds, in a Treaty of Twenty daies, nor indeed in the whole Propositions upon which the Treaty should be, there hath been nothing offered to be treated concerning the breach of any Law, or of the Liberty, or Property of the Subject, or Priviledge of Parliament, but onely Propositions for the altering a Government established by Law, and for the making new Laws, by which almost all the old are or may be cancelled; and there hath been nothing insisted on of the Kings part, which is not Law, or denied by the Kings Commissioners that the other required, as due by Law.*

For the *Protestation*, which they say, *was entred* (about the time of this Treaty) *in the Councell-Book*, and of which his Majesty gave the *Queen* account, it is known to be no other then a Declaration, that by calling them a *Parliament*, there could be no acknowledgment inferred, that he esteemed them a free Parliament, which few at that time did believe them to be; and they have since upon as small reasons confessed themselves not to be.

They alleage, as a wonderfull testimony of their meeknesse and good nature, *that after His Majesties Armies were all broken, so that in disguise He fled from Oxford to the Scots at Newwarke, and from thence went to Newcastle, they tendred to Him at Newcastle, and afterwards, when the Scots had left Him to the Commissioners of Parliament,*

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at Hampton-Court, *still the same Propositions in effect, which had been presented before in the midst of all His strength and Forces* : which is rather an Argument that they had at first made them as bad as possibly they could, then that they were good since ; and (considering the natures of these Declarers) there cannot be a more pregnant evidence of the ilnesse and vilenesse of those Propositions, then that they have not made them worse ; nor is the condition in which they have now impiously put His Majesty for His refusall, worse, then it had been, or would be (His Personall liberty only excepted) if He consented to them ; and in one consideration it is much better, because it is now a confessed act of violence and treason upon Him, which if He once consent to their Propositions, they will (when ever they find occasion) appear legally qualified to do the same.

They have once again out of their desire of his Majesties concurrence descended to one other addresse to Him, and they said, *they did so qualifie the said Propositions, that where it might stand with the publique safety, His wonted scruples and objections were prevented or removed, and yeilded to a Personall Treaty, on condition the King would signe but foure Bills, which they judged not only just, and honourable, but necessary even for present peace and safety during such a Treaty ; and upon His deniall of these, they are in despair of any good by addresses to the King, neither must they be so injurious to the people, in further delaying their settlement, as any more to presse His consent, to these or any other Propositions.* Pag. 9.

What the former Propositions and Addresses to His Majesty have been, and how impossible it hath been for Him to consent to them with His Conscience, Honour, or Safety, appears before ; and how inconvenient it

would have been to the Kingdome if He had done it, they themselves have declared, by making such important alterations in respect of the English interest in those presented at *Newcastle*, from the other treated on at *Uxbridge*; it will be fit therefore to examine these four Bills which were to be the condition of the Treaty.

One of these Bills is, *to devest His Majesty and His Posterity for ever of any power over the Militia*, and to transfer this right, and more then ever was in the Crown, to these men, who keep Him Prisoner; for it is in their power whether they will ever consent that it shall be in any other; and *to give them power to raise what Forces they please, and what Mony they think fit upon His Subjects; and by any waies or means they appoint*, and so frankly exclude Himself from any power in the making Laws.

There need no other Answer, why it is not fit or possible for the King to consent to this, then what the Commissioners from *Scotland* gave to the Houses, when they declared their dissent; *If the Crownes have no power of the Militia, how can they be able to resist their Enemies, and the Enemies of the Kingdomes, protect their Subjects, or keep friendship or correspondence with their Allies? All Kings by their royall Office and Oath of Coronation are obliged to protect their Laws and Subjects, it were strange then to seclude the Crown for ever from the power of doing that, which by the Oath of Coronation they are obliged to perform, and the obedience whereunto falleth within the Oath of Allegiance; and certainly if the King and His Posterity shall have no power in making Laws, nor in the Militia, it roots up the strongest foundation of honour and safety which the Crown affords, and will be interpreted in the eyes of the world to be a wresting of the Scepter and Sword out of their hands.*

Nor

Nor can this just and honourable Assertion be answered, and evaded, by saying, *that the Militia was the principall immediate ground of their quarrell, in order to the preservation of Religion, and the just Rights and Liberties of the people; and that the Scots Commissioners have often agreed with them in it, and that the Kingdome of Scotland fought together with them for it, and upon the ground thereof; and that now they argue against their injoying it, almost in the very same words, as the King did at the beginning of the War in His Declarations.*

Decl. concerning the Scots Papers, p. 68.

It is no wonder that what these men have done, and the horrid confusion they have made, have evinced many truths, which appeared not so manifest to all understandings by what the King said, or that they have not so good an opinion of those, who tell them *that there is another and a more naturall way to peace, and to the ending the war, then by Agreement, namely by Conquest; As they had of them who with all imaginable solemnity swore that they would sincerely, really, and constantly endeavour with their estates and lives, mutually to preserve and defend the King's Majesties Person, and authority in the preservation and defence of the true Religion, and Liberties of the Kingdomes, that the world may bear witness with their Consciences of their Loyalty, and that they had no thoughts or intentions to diminish His Majesties Power and Greatnesse,* which Engagements might perswade many, that their purposes were other then they now appear to be.

Mart. Index p. 15.

3 Art. of the Covenant.

For that other power, they require to raise what Monies they please, and in what way they please; All the people of *England* will say, that which the Army said honestly in their Representation, agreed upon at *Newmarket* on the 4 & 5 of *June* against the Ordinance of Indempnity, *We shall be sorry that our relief should be the*

Decl. and Papers of the Army, p. 31.

occasion of setting up more Arbitrary Courts, then there are already, with so large a power of imprisoning any Free-men of England, as this Bill gives, let the persons intrusted appear never so just and faithfull.

Indeed that is asked of his Majesty by this Bill, which the King can neither give, nor they receive; the King cannot give away His Dominion, nor make His Subjects, subject to any other Prince or power, then to that under which they were born; no man believes that the King can transfer His Sovereigne power to the French King, or the King of *Spaine*, or to the States of the united Provinces; nor by the same reason can He transfer it to the States at *Westminster*. And the learned and wise *Grotius* (who will by no means endure that Subjects should take Armes against their Princes upon any specious pretences whatsoever) concludes, *Si rex tradere regnum, aut subdicere moliatur, quin ei resisti in hoc possit non dubito, aliud enim est imperium, aliud habendi modus, qui ne mutetur ob stare potest populus*; to the which he applies that of *Seneca*, *Et si parendum in omnibus patri, in eo non parendum, quò efficitur ne pater sit*; And it may be this may be the only case in which Subjects may take up defensive Armes, that they may continue Subjects; for without doubt no King hath power, not to be a King, because by devesting himselfe he gives away the right which belongs to others, their title to, and interest in his protection.

The two Houses themselves seemed to be of opinion, when in their Declaration of the 27 of May, 1642. they said, *the King by his Sovereignty is not enabled to destroy His people, but to protect and defend them; and the high Court of Parliament, and all other His Majesties Officers and Ministers ought to be subservient to that power*
and

and authority, which Law hath placed in His Majesty to that purpose, though He Himself in His own Person should neglect the same: So that by their own judgment and confession it is not in the King's power to part with that, which they ask of Him; and it is very probable, if they could have prevailed with Him to do it, they would before now have added it to His charge, as the greatest breach of trust that ever King was guilty of.

They cannot receive what they ask, if the King would give it; in the Journall of the House of Commons, they will find a Protestation entred by themselves in the third year of this King, when the Petition of Right was depending, in the debating whereof some expressions had been used, which were capable of an ill interpretation; That they neither meant, nor had power to hurt the King's Prerogative: And the Lord chief Justice Coke, in the fourth part of his Institutes, published by their Order since the beginning of this Parliament, saies, That it ^{4 Part Instit.} was declared in the 42 year of King Edw. 3. by the Lords ^{fol. 14.} and Commons in full Parliament, that they could not assent to any thing in Parliament, that tended to the disherison of the King and his Crowne, whereunto they were sworne: And Judge Hutton in his Argument against Ship-mony, printed likewise by their Order since this Parliament, agrees expressly, ^{Pag. 25, 26.} That the power of making War & Leagues, the power of the Coyne, and the Value of the Coynes (usurped likewise by these Declarers) and many other Monarchicall powers and prerogatives, which to be taken away, were against naturall reason, and are incidents so inseparable, that they cannot be taken away by Parliament: To which may be added the authority of a more modern Author, who uses to be of the most powerfull opinion, Mr. Martin, who saies, that the Parliament it self hath ^{Mart. Indc: p. 27.} not

not, in his humble opinion, authority enough to erect another authority equall to it self; And these ambitious men, who would impiously grasp the Sovereign power into their hands, may remember the fate which attended that Ordinance in the time of King *Hen. 3.* to which that King *metu incarcerationis perpetuae compulsus est consentire*, and by which the care and government of the Kingdom was put into the hands of four and twenty; how unspeakable miseries befell the Kingdom thereby, and that in a short time, there grew so great faction and animosity amongst themselves, that the major part desired the Ordinance might be repealed, and the King restored to His just power; that they who refused came to miserable ends, and their Families were destroyed with them, and the Kingdome knew no peace, happinesse, or quiet, till all submission and acknowledgment, and reparation was made to the King, and that they got most reputation, who were most forward to return to their duty; So that it is believed, if the King would transfer these powers, though many persons of honour and fortune have been unhappily seduced into this combination; that in truth no one of those would submit to bear a part of that insupportable burthen, and that none would venture to act a part in this administration, but such whose names were scarce heard of, or persons known before these distractions.

If the King should consent to another of their four Bills, He should subvert the whole foundations of government, and leave Himself, Posterity, and the Kingdome without security, when the fire, that now burns, is extinguished, by making Rebellion, the legitimate Child of the Law; for if what these men have done be lawfull and just, and the grounds upon which they have done it be

be justifiable, the like may be done again; and besides this, He must acknowledge and declare all those who have served Him faithfully, and out of the most abstracted considerations of Conscience and Honour, to be wicked and guilty men, and so render those glorious persons, who have payed the full debt they owed to His Majesty and their Country, by loosing their lives in His righteous cause, and whose memories must be kept fresh and pretious to succeeding ages, infamous after their deaths, by declaring, that they did ill, for the doing whereof, and the irreparable prejudice that would accrue thereby to *truth, innocence, honour, and justice*, all the Empires of the world would be a cheap and vile recompence.

Nor can this impossible demand be made reasonable by saying, *It would be a base and dishonourable thing for the Houses of Parliament being in that condition they are, to have treated under the Gallows, to have treated as Traitors, their cause being not justified, nor the Declarations against them as Rebels recalled.* It would be a much more base and dishonourable thing, to renounce the Old and New Testament, and declare that they are not the word of God; to cancell and overthrow all the Lawes and Government of the Kingdome; all which must be done, before their cause, or their manner of maintaining their cause can be justified: and if that were not perversly blind to their owne interest, they would know and discern, that such an act is as pernicious to themselves, as to truth and reason, their own security depending on nothing more, then a provision, that no others for the time to come, shall do what they have done; nor can they enjoy any thing, but on the foundation of that Law they have endeavoured to overthrow.

Decl. concerning the Scots Papers, p. 86.

The King hath often offered an Act of Oblivion, which will cut down all Gallows, and wipe out all opprobrious tearms, and may make the very memory and mention of Treason and Traytors, as penall, as the crimes ought to have been; they who desire more, aske impossibilities, and that which would prove their own destruction; and who ever requires their cause to be justified, can have no reason for doing it, but because he knows it is not to be justified.

The end of the third Bill is to *dishonour those* of His own Party, *whom He hath thought fit to honour; and to cancell those Acts of grace and favour He vouchsafed them*, which is against all reason and justice, for if He had no power to confer those Honours, there needs no Act of Parliament to declare or make them void; if He had power, there is no reason, why they should be lesse Lords upon whom He conferred that honour the last year, then those He shall create the next: nor is this Proposition of the least imaginable moment to the peace of the Kingdome, or security of a Treaty; though it be of no lesse concernment to His Majesty, then the parting with one of the brightest Flowers in His Crown.

The last Bill is *to give the two Houses power to adjourn, to what place, and at what time they please, which by the Act of continuance, they cannot now do, without the King's consent, though there is no reason they should attribute more to His Person in that particular, then they doe in other things*, to which His assent is necessary, and if they do indeed believe, that His Regall power is virtually in them, they may as well do this Act without Him, as all the rest they have done.

The King in His Message of the 12 of *April, 1643.* rather intimated, then propounded the Adjournment of the
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the Parliament to any place twenty miles from *London*, which the Houses should choose, as the best expedient He could think of, for His owne and their security from those tumultuous Assemblies which interrupted the freedom thereof; to which though they returned no Answer to His Majesty, yet in their Declaration after that Treaty at *Oxford*, they declared *the wonderfull inconvenience and unreasonablenesse of that proposition; the inconveniences that would happen to such persons that should have occasion to attend the Parliament by removing it so far from the residency of the ordinary Courts of Justice, and the places where the Records of the Kingdome remaine; That it would give a tacite consent to that high and dangerous aspersion of awing the Members of this Parliament, and it would give too much countenance to those unjust aspersions laid to the charge of the City of London, whose unexampled Zeale and fidelity to the true Protestant Religion, and the Liberty of this Kingdome (they said) is never to be forgotten, and that they were wel-assured, that the loyalty of that City to His Majesty, and their affections to the Parliament, is such, as doth equall, if not exceed, any other place or City in the Kingdome; which reasons being as good now, as they were then, the King hath followed but their own opinion in not consenting to this Bill.*

Col.ord. 2 vol.
p. 97.

In a word; All the world cannot reply to His Majesties owne Answer upon the delivery of these four Bills, or justifie their proceeding, *That when His Majesty desires a Personall Treaty with them for the settling of a peace, they in answer propose, the very subject matter of the most essentiall part thereof to be first granted; and therefore the King most prudently and magnanimously declares, That neither the desire of being freed from this tedious and irksome condition of life He hath so long suffered, nor the ap-*

prehension of what may befall Him, shall make Him change His resolution of not consenting to any Act, till the whole peace be concluded; for in truth nothing is more evident, then that if He passe these Bills, He neither can be able to refuse any thing else they shall propose, for He hath reserved no title to any power, nor can have reason to do it, for having resigned His choicest Regalities, it would be great improvidence to differ with them upon more petty concessions, and having made all honest men guilty, He could not in justice deny to refer the punishment of them to those, who could best proportion it to the crimes: So that a Treaty could afterwards be to no other end, then to finish His owne destruction with the greater pomp and solemnity: whereas the end of a Treaty is (and it can have no other) upon debate to be satisfied, That He may lawfully grant what is desired, That it is for the benefit of His people, that He should grant it, how prejudiciall soever it may seem to Himself, and that being granted, Himself shall securely enjoy what is left, how little soever it be, and that His Kingdome shall by such His concessions be intirely possessed of peace and quiet; the last of which cannot be, (at least His Majesty hath great reason to suspect it may not) without the consent of the Scots, who peremptorily protest against these Four Bills, And say that it is expressly provided in the 8 Article, That no Cessation nor any Pacification or Agreement for Peace whatsoever shall be made by either Kingdome, or the Armies of either Kingdome without the mutuall advice and consent of both Kingdomes, or their Committees in that behalf appointed, which is neither Answered, or avoided, by saying, that no impartiall man can read that Article of the Treaty, but He must needs agree, that it could be meant only whilst there was War, and Armies on both sides in being;
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Answ. Sc.
Com. p.23.

Decl. concern-
ing the Scots
Papers, p.92.

and that it must of necessity end, when the War is at an end; for besides that war is not, nor can be at an end, till there be an Agreement, (and if it be, why is there so great an Army kept up in the Kingdome ?) by the same reason that Article was so understood as it is now urged by the Scots before their comming into the Kingdome, it may be so understood after they are gone ; and that the Houses themselves did understand it so, in the beginning of *January, 1643.* before the Scots Army entred, appears by a Declaration Mr. *St. Johns* made at that time in the name of the Houses (and printed by Order) to the City of *London* at *Guild-hall*, upon the discovery of a cunning Plot (as they said) to divide and destroy the Parliament and the City of *London*, under the notion of peace; and by engaging them in a *Treaty of peace*, without the advice and consent of their Brethren of *Scotland*, which (he said) *would be contrary to the late Articles solemnly agreed upon by both Kingdomes, and to the perpetuall dishonour of this Nation by breach of their Publique Faith engaged therein to that Nation ;* so that the two Houses having given their judgment in the point, the King hath great reason, if He had no other, to have the whole well debated before Him, and the severall interests weighed and agreed upon, before He give His consent to any particulars, which will else produce more mischief then His refusing all can possibly doe.

Cunning Plot,
P. 3.

Nor will these and their other extravagant and licentious demands be better justified, by their undervaluing the Kings present power, in their insolent question in their late Declaration concerning the Scots Commissioners (which in truth, throughout is but a paraphrase upon that Speech of *Demetrius* to his Companions of the like occupation, *Sirs, you know that by this craft we have*

Pag. 83.

our wealth) what can the King give them, but what they have already ?

It is not out of their duty or good will to Him, that they make any Application to Him, and if they did indeed believe, that His Majesty could give them nothing, but what they have already, He should hear no more from them, but they very well know, they have yet nothing, except He give them more ; and that the man that is robbed and spoyled of all that He hath, when He hath procured a pardon for, and given a Release to the Thieves and Robbers, He hath given them more, then they had before, and that which onely can make, what they had before of benefit and advantage to them ; they know and will feel the judgment upon the wicked man in *Job*, *He hath swallowed down Riches, and he shall vomit them up again, God shall cast them out of his belly ; Because he hath oppressed, and hath forsaken the poor, Because he hath violently taken away a house which he builded not ; In the fulnesse of his sufficiency he shall be in straits : That all their reproachings and revilings with which they have triumphed over the Lords Anointed, must come into their Bowels like water, and like Oyle into their bones ; And that nothing can restore and preserve them, but the Antidotes, and Cordials, and Balme, which the King only can Administer ; they know very well, that even the most unfortunate Kings, that ever have been in *England*, could never be destroyed without their own consent ; and that all their power, and strength, and successe (though for a time it may oppress) can never subdue the Crown without its owne being accessary to its own ruine ; and the King very well knows, that what He yet suffers is not through His own default, but by such a defection as may determine all the Empires of the world, and that in
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Iob 20. 15,
19, 22.

Psal. 109. 18.

the unspeakable miseries (which all His good Subjects have undergone) He is yet innocent; the conscience whereof hath refreshed Him in all His sufferings, and maketh Him superiour to their insolence, contempt and Tyranny, and keeps Him constant to His Princely and pious resolution; but that, if by any unhappy consent of His own, such an establishment shall be made, as shall expose Himself, His Posterity and people to misery, it will lie all upon His own account, and rob Him of that peace of mind, which He now enjoys and values above all the considerations of the world, well knowing that God requires the same, and no more of Him, then he did of his servant *Joshuah*, *Only be thou strong, and very courageous, that thou mayest observe to doe according to all the Law which Moses my servant commanded thee, turne not from it to the right hand, or to the left, that thou mayest prosper whithersoever thou goest.* Joshuah 1. 7.

Honest men and good Christians will be lesse moved with their bold and presumptuous conclusion; which they have learned from their new Confederates the Turkes, *That God himself hath given his Verdict on their sides, in their successes*; not unlike the Logick used by *Dionysius*, who because he had a good gale of wind at Sea, after he had sacked the Temple of *Proserpine*, concluded, *That the immortall Gods favoured Sacriledge.* It is very true, they have been the instruments of Gods heavy judgments upon a most sinfull people, in very wonderfull successes, yet if they would believe *Solomon*, they would find, *There is a time wherein one man rules over another to his own hurt*; and prosperity was never yet thought a good argument of mens piety, or being in the right; and yet if these men did enough think of God Almighty, and seriously revolve the works of his owne hand Decl. concern-
ing Sc. Com.
P. 70.

Eccl. 8. 9.

hand throughout this Rebellion, and since they had looked upon themselves as Conquerours, they would be so far from thinking that he had given his Verdict on their side, that they would conclude, that he hath therefore onely suffered to prosper to this degree, that his owne power and immediate hand might be more cleerly discerned and manifested in their destruction, and that the cause might appear to be his own by his most miraculous vindication of it.

If Master *Hambden* had been lesse active and passionate in the businesse of the *Militia*, which might have proceeded from naturall reason, and reformation of his understanding, the judgment and Verdict of God would not have been so visible as it was in the loosing his life in that very Field, in which he first presumed to execute that Ordinance against the King.

If Sir *John Hotham* had never denied his Majesty entrance into, and shut the Gates of *Hull* against Him, from which naturall Allegiance, and civill prudence might have restrained him, the judgment and Verdict of God had been lesse evident then it was, when after he had wished, *that God would destroy him and his posterity if he proved not faithfull to the King*, at the same time that he had planted his Cannon against him; he and his Son were miserably executed by the judgment of those, who but by his Treason could never have been enabled to have exercised that jurisdiction; and that having it in his power he should perfidiously decline to serve his Majesty, and afterwards loose his head for desiring to do it, when he had no power to perform it.

They who remember the affected virulency of Sir *Alexander Carew* against the King, and all those who adhered to him; and how passionately he extolled and magnified

magnified the perjury and treachery of a Servant, as if he had done his duty to the Kingdome by being false to his Master the King; and that this man afterwards should by the treachery of his Servant be betrayed, and lose his head by their judgments, for whose sakes he had forfeited it to the King, cannot but think the Verdict of God more visible then if he had contained himself within the due limits of his obedience, and never swarved from his Allegiance.

To omit infinite other instances, which the observation of all men can supply them with, the Verdict of God had not been so remarkable and notorious, if the King had prevailed with his Army, and reduced his rebellious Subjects to their duty, which might naturally have been expected from the cause, and the fate that Rebels usually meet with; as that after a totall defeat of the King's Forces, and their gaining all the power into their hands, they could possibly propose to themselves, they should not only be in more perplexity and trouble, then when they had a powerfull Army to contend with, but in more insecurity and danger, then if they had been overcome by that Army.

That the City of *London* should be exposed to all imaginable scorn, contempt and danger, upon the same Ordinance of the *Militia*, by which their pride and sedition principally exposed the Kingdome to the miseries it hath endured; that the same Arts and Stratagems of Petitions and Acts of Common Councill with which they affronted the King, and drove Him from them, should be applied to their own confusion and ruine.

That those Members who were the principall Contrivers of our miseries, the most severe and uncharitable persecutors of all, who were not of that opinion, and the

greatest cherishers of those Tumults, which drove the King and all that wished well and were faithfull to Him from *Westminster*, should themselves be persecuted for their opinions by those, whom they had supported, and be driven thence by the same force; and as they had to make the KING odious to the people against their own consciences, cast aspersions on Him of favouring the Rebellion in *Ireland*; so themselves to the same end, should be accused of the obstructing the relief of *Ireland*; so that to some of them, that Story of *Jason*, (which though it be not canonically Scripture, is yet canonically History) may be literally applied, who slew his own Citizens without mercy, not considering, that to get the day of them of his own Nation, would be a most unhappy day for him, who afterwards flying from City to City, was pursued of all men, hated as a forsaker of the Laws, and being had in abomination, as an open Enemy of his Country and Country-men, was cast out into *Agypt*: Thus he that had driven many out of their Country, perished in a strange Land, and he that had cast out many unburied, had none to mourn for him, nor any solemn Funerall at all, nor Sepulcher with his Fathers.

2 Mac. 5.

Ex. Col. p. 93.

That they who told the King, *that if He should persist in the deniall of the Militia, the dangers and distempers of the Kingdome are such, as would endure no longer delay, but unlesse He would be graciously pleased to assure by those Messengers, that He would speedily apply His Royall Assent to the satisfaction of their former desires, they should be enforced for the safety of His Majesty and the Kingdomes, to dispose of the Militia by the authority of both Houses in such manner as had been propounded, and they resolved to do it accordingly, and upon that ground did raise the Rebellion against the King,* That these men should be told
by

by their own *Militia*, That they were cleerly convinced and satisfied, that both their duties and trust for the Parliament and Kingdom, called upon them, and warranted them, and an imminent necessity inforced them, to make or admit of no longer delays, but they should take such courses extraordinary, as God should enable and direct them unto, to put things to a speedy issue, unlesse by Thursday next they received assurance and security to themselves, and the Kingdom, that those things should be granted which they insisted on; which were to have severall Acts passed by the Houses, speedily reversed, and other Acts formerly refused, to be consented to, all which was done accordingly.

Decl. and Papers of the Army, p. 67.

That their own Army should rebell against them upon the principles of their own Declarations, which (they tell them) directed still to the equitable sense of all laws and constitutions, as dispensing with the very letter of the same, and being supreme to it, when the safety and preservation of all is concerned; and assuring them that all authority is fundamentally seated in the Office, and but ministerially in the persons; and that it is no resisting of Magistracy to side with the just principles and law of Nature, and Nations: All which were the very grounds and assertions upon which they raised and justified their Rebellion against the King.

Decl. & Papers of the Army, p. 39, & 40.

Lastly, that this very Declaration which they hoped would prepare the minds and affections of the people with so much prejudice to his Majesty, that they would concur with them in any desperate Act against Him and His Posterity, should so much incense all sorts of people against them, that they are since looked on, as the most odious scum of men, that ever infested a Nation; and have lost more by it, then they have ever got by any Victory.

Job 21, 14.

These are the visible instances of Gods Verdict in the cause, so that if they had (with all their hypocriticall discourses of Religion) the least sense of Gods favours, or fear of his judgments, if they had not said unto him, *Depart from us, for we desire not the knowledge of thy waies,* they would before this have felt, that agony of heart, and trembling in their joynts, out of the very sense of the hand of God upon them, that they would take no rest, till they cast themselves at his feet whom they have offended, and imploy all their faculties towards repaying their gracious Sovereign, and binding up the wounds of their almost ruined Country.

Pag. 5, & 6.

Instead of which, to make their madness as publick and notorious as their Rebellion, they have resolved, & published their resolutions to the Kingdome : 1. *That they will make no further addresse or application to the KING.* 2. *That no person whatsoever shall make any, without their leave.* 3. *That whosoever shall break this Order shall incur the penalties of High Treason.* 4. *That they will receive no more any Message from the KING, and that no person shall presume to bring any Message from the KING to them, or to any other person.*

By the first and last of which, they have made and declared themselves no Parliament; for being called by the King's Writ to Treat with Him, if they will neither send to Him, or hear from Him, they can be no longer a Parliament.

Col.ord. 2 vol.
p 98.

By the second, they have taken away from the Subjects of the three Kingdomes, that which themselves acknowledge to be their naturall right and liberty, for they say (and they say truly) in their Declaration of the 6 of May, 1643. *That to present their humble desires and Propositions to His Majesty is a liberty incident unto them, not only*

only as Members of Parliament, but as free-born Subjects,
yet this freedom is by this Vote taken away.

To the third there needs be no more said then what the Army (who no doubt will justifie what they say) said upon this Argument, *Not only to be denied the right and the liberty to Petition, but withall by a censure, no lesse then capitall, to be exposed to a forfeiture of Estate, liberty, life, and all, for but going to aske what a man conceives to be his due; and this without ever asking, or hearing what he can say in his excuse; would carry so high a face of injustice, oppression, and tyranny, as is not easie to be exempld in the proceedings of the most corrupt and arbitrary Courts, towards the meanest single man: And they shall do well to remember their own judgment in their Remonstrance of the 26 of May, 1642. in these words, If the solemn proclaiming a man Traytor, signifie any thing, it puts a man, and all those that any way aide, assist, or adhere to him into the same condition of Traytors, and draws upon him all the consequences of Treason; and if this may be done by Law, without due processe of Law, the Subject hath a very poor defence of the Law, and a very small, if any proportion of Liberty thereby; and it is as little satisfaction to a man that shall be exposed to such penalties, by that Declaration of him to be a Traytor, to say, he shall have a legall triall afterwards, as it is to condemn a man first, and trie him afterwards.*

Decl. & Papers
of the Army,
P. 35.

Ex. Col. p. 278.

All the particulars of their Declaration are now examined, and however these desperate men may flatter themselves, and how long soever they shall continue in this their damnable *Apostasie*; the present age and posterity will believe that in stead of rendring and making the KING appear unworthy of, or unequall to the high Office and charge, to which God hath advanced Him,

they have in truth vindicated Him from all those aspersions and blemishes their malice had cast on Him, and that He appears the most worthy the great trust He was born to, if He had no other title to it, then His admirable virtue & perfection: After the boldest & strictest inquiry, that was ever made into the life & manners of any Gentleman; after their examining all the actions, and all the words of his life, & with impious licence, perverting and torturing those actions and words with their unreasonable glosses, and interpretations; after their breaking into His Chamber, by corrupting His neereſt Servants, and thereby knowing what in any passion or indisposition He hath said or done; After their opening His breast, and examining His most reserved thoughts, by searching His Cabinets, perusing His Letters, even those He had written in cipher to His dearest Consort the *Queen*, and His private memorials; They have not been able to fix a crime or error upon Him, which would draw a blush from the modestest cheek, nor by all their threats, and all their promises; to shake His pious and magnanimous resolutions; so that in truth, their main trouble and vexation is no other, then *David* heretofore gave *Saul*, who, *when he saw that he behaved himself very wisely, he was afraid of him.*

1 Sam. 18. 15.

But these miserable men must know, that if the King were as unjust, and as oppressing as they would have Him believed to be, or as the best of them would be, if he were in His place; they have not any title or qualification to use Him as they have done: For if it were lawfull for Subjects to take up Armes against their Sovereign, upon pretence, that He were injurious, and performed not the duty and Office of a King; besides the confusion, that must follow, upon their assuming the judgment

ment in that case, they would have it in their power to resist, and avoid one of the greatest and most immediate judgments which God sends to correct and chastise a Nation, which hath provoked him to displeasure : *And the Egyptians wil I give over into the hand of a cruel Lord, and a fierce King shal rule over them*, saies God himself by the Prophet *Isaiah* ; He that can destroy a Nation by what judgement he pleases ; he that can humble this people by a famine, and destroy that by a plague, may if he think fit, chuse to doe either by the cruelty and fierceness of a King, *I gave thee a King in mine anger*, Isa. 19. 4. saies the same Spirit by the Prophet *Hosea*. Now if it were lawful for us to be angry with that King, whō God hath in his anger given us ; or to be fierce against him, whose fierceness the Lord hath sent as his judgment upon us, we might easily elude those sentences of his wrath, and drive those afflictions from us, by our own courage, without waiting his leisure for our redemption : And it may be no ill reason of that expression in the Prophet *Samuel*, that *Rebellion is as the sin of Witchcraft*, that as men go to Witches, and Witches go to the Devill, to get or discover somewhat, which God would not have them get or discover ; so they who rebell, endeavour by the help of the Devil, to be too hard for God Almighty, and to avoid by their own skill and activity, a calamity, by which God meant to reclaim them ; *The wrath of a King is as Messengers of death, but a wise man will pacifie it*, saies *Solomon* ; Not, oppose and resist, or rebell against it ; and yet the same *Solomon* tels us, that *wrath is cruell* ; There is an ingredient of injustice, of uncharitableness, of cruelty in all wrath, and yet the wise man, the honest, just, conscientious man, thinks of nothing but pacifying it ; gentleness, application, and humility should

Hos. 13. 11.
Prov. 16. 14.

should be used to soften and mollifie his wrath ; Indeed, so much is due to any wrath ; A wise and a charitable man, will take so much pains to reform and compose the wrath and distemper of his Neighbour, of his equall ; but there is much more to be done to the wrath of a King ; and *Tremelius* extends this care of the wise man much further, then such a pacifying, and renders this Text, *Vir sapiens expiabit eam*, let this wrath be never so unjust, so unreasonable, so immerited, the wise man, *expiabit eam* ; he will behave himself as if the fault were in him, as if he had provoked and incensed the King to that wrath, he will expiate, he will give satisfaction by prayer, by submission, by any sacrifice that may pacifie, and be acceptable to the offended Majesty ; and by an exact and punctuall performance of what becomes a Subject, convince the King of the error and mistake of his passion ; They who under pretence of innocence and of faultlesnesse, neglect and contemn the anger and displeasure of Princes, are not innocent enough, nor look on Majesty with that reverence, which becomes them ; *Solomons* wise man will expiate the Kings wrath from what fountain of passion or prejudice soever it proceeds.

It cannot be denied, that unjust, cruell and unmercifull Princes are great afflictions and judgments upon a people ; yet the calamities under such are much more supportable, then the confusion without any ; and therefore God frequently exercised his peculiar and chosen people, with profane, wicked, and tyrannicall Kings, and refreshed them again, with pious, and devout, and just Princes, but it was a signall mark of their desolation, when he declared, *that the Children of Israel should abide many daies without a King, and without a Prince* ; and it was a sure signe, when they had no King, that they had
not

not feared the Lord, and then what should a King do to them ?

If the most notable Ministers of confusion, and they who apprehend least the effects of it, would but a little consider in their own stations, the misery and desolation that must inevitably attend the breach of Order and subjection in little ; If the Father thought of the impossibility of living in his own house, if his Wife and Children might follow the dictates of their own reasons, and wills, and appetites, without observing his rule and directions ; If the Master would consider the intolerableness of his condition, if his Servants might question, dispute, and contemn his commands, and act positively against them, they would be the more competent Considerers of the mischiefs and miseries that must befall Kingdomes and Common-wealths ; If Subjects may Rebell against the power and authority of Princes, whom God hath appointed to governe over them ; There is not one of these Declarers, who doth not think he hath a prerogative vested in him by nature ; It is the prerogative of the Husband, the Father, the Master, not to have his pleasure disputed, by his Wife, his Child, his Servant, whose piety consists in obedience ; yet they cannot endure the mention of the *Kings prerogative*, by, and under which, only it is possible for them to enjoy theirs. It was a well-weighed scoffe, by which *Lycurgus* convinced him, who desired him to establish a *popular Government* in *Lacedemon*, *Begin* (said he) *first to do it in thine own house* ; and truly though these *Ephori* (whose profession is to curb the power of Kings) intended nothing lesse, then to part with the least tittle of their own just authority, They are appealed to, whether they have not felt that power insensibly shrink from them, whilst they have been ambiti-

ously grasping at that belonged not to them? Is the piety of Children, and the obedience of Servants the same it was before these daies of licence? Hath not God sent the same defection of reverence, kindnesse, and affectionate inclinations into Families, to the rooting up and extirpating of all possible joy, and delight in each other, which the heads of those Families have cherished and countenanced in the State? It may be there would not be a better or an easier expedient to reduce our selves, and recover that Allegiance we have forsaken, then by sadly waighing and considering, the effects, and kinds, and species of Gods judgments upon us, since we have been guilty of that breach; If every Father whose soule hath been grieved and afflicted with the pertinacious undutifulnesse of a Child, would believe (as he hath great reason to do) that God hath sent that perversnesse and obstinacy into his own bowels, to punish his peremptory disobedience to the Father of the Kingdom, his Sovereign Lord the King; If every Master of a Family, who hath been injured, betrayed and oppressed, by the treachery, infidelity, or perjury of a Servant, would remember how false, unfaithfull and forsworn, he hath been to his Master the King, and conclude that his Servant was but the Minister of Gods vengeance upon him, for that transgression; If the whole Nation would consider the scorn, contempt and infamy it now endures and suffers under, with all Nations, Christian and Heathen in the known world, and confesse that God hath sent that heavy judgment upon them, for their contempt of him, for whose sake they were owned and taken notice of for a Nation; It would not be possible but we should bring our selves to that true remorse of conscience for the ill we have done, that God would be wrought upon to take off the ill.

ill we have suffered, and we could not entertaine a fond hope of injoying the least prosperity our selves, without restoring to the King what hath been rebelliously taken from Him.

They say, that *though they have made those resolutions of making no more applications to the King, yet they will use their utmost endeavours to settle the present Government as may best stand with the peace and happiness of this Kingdome.* What the present Government is, no man understands, and therefore cannot know what that peace and happiness shall be, which they intend shall accrue to the Kingdome by it ; The little Cabinet of Peers (for the House is shrunk into that proportion) hath no share in it, as appeares by the giving possession of the Navy to *Rainsborough* without their consent, after they had asked it ; and by their doing many other things of high moment, without so much as asking their concurrence ; That it is not in the Commons is as plain by their repealing such Acts of their owne, and making others, as the Army requires them to doe ; And that the Army is not possesst of it, needs no other Argument, then the invasion and violation of all the Articles ever made by the Army upon any Surrender, which if the power were in them, would for their own honour have been observed, so that the endeavour they promise to use to settle the present Government, is to take an effectuall care, that all Laws and legall Authority may for the present be so suppressed, that there may be no Government at all : And truly it may be in their power for some time to improve the confusion that is upon us, and to draw on the desolation which attends us ; but to settle any kind of Government, which can bring peace, or any degree of happiness to the languishing Kingdome, nay which can be

Pag. 37.

any security to themselves and their posterity, except they submit to the good old one, under which they were born, cannot be within their power, nor sink into their reasonable hope: Nothing is more demonstrable, then that they can never establish a peace to the Kingdome, or any security to themselves, but by restoring the just power to the King, and dutifully submitting and joyning themselves to his protection; and it is as manifest, that by that way, they may restore the Kingdome to peace, and preserve themselves and Families and Posterities in full security and honour: The examination and clearing of which two Propositions shall conclude this discourse.

The reverence and superstition which the people generally paid to the name and authority of Parliament, and by which they have been cozened into the miserable condition they now are in, is so worn out, that without captivating their reasons any longer to it as a Councell, they plainly discern, the ambition, weaknesse, vanity, malice, and stupidity of the particular Members, of whom it is, and of whom it ought not to be constituted, and easily conclude, that as they have robbed them of the most happy and plentiful condition any free-man of the world ever enjoyed, so they can never be instruments of any kind of peace and security to them; and that as they have upon the matter dissolved the noblest structure, and frame of government, in Church and State, that hath been at any time in the Christian world, so that they are too much transported with passion and guilt, and of too little interest, experience and understanding, to devise and settle a new form, or to mend any defects in the old: Besides that, they plainly discern that they are not the Ministers of their Country for whom they were chosen and deputed, but for the Army, whose di-

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states they are obliged and forced to follow, so that if their inclinations were good, they have not power to execute accordingly : And are like the Eagle in *Esdra*s, *when* 2 Esdr. 11. 10. *the voice went not out of her head, but from the midst of her body.*

The mutuall confidence between them and their Army is totally dissolved, it being not possible for the Houses ever to repose trust in any Army, for they can never believe any Army to be more at their devotion, then they had reason to think that under Sir *Thomas Fairfax* ; nor for the Army to pay a full submission to the Houses, for, admitting that Party which is most powerfull in the Army, for the present, is of the same mind and opinion with that Party which is most powerfull in the Houses, yet being both still Rivals for the Sovereigne power, they can never intirely trust, or intirely submit to each other ; Though the Houses should consist of none but such who were glad at that time, that the King was taken from *Holmby*, and that the Army did not disband, yet they will alwaies remember, that the one was done without their Order or consent, and that the Army may do the like again when they think fit, and when it may not turn so much to their advantage ; And that they did not onely not disband at that time, but have declared by their solemn Engagement of the Army, 5 of *June*, *That they will not Disband, nor divide, nor suffer themselves to be divided or disbanded, till they have first security and satisfaction in those things they have desired, in such manner as shall be agreed upon by a Councell, to consist of those generall Officers of the Army (who have concurred with the Army in what they have done, and what they have demanded) with two Commission Officers, and two Soldiers to be chosen for each Regiment, who have concurred, and*

Decl. & Papers
of the Army,
P. 22.

shall concur with them in the premises and in this Agreement; so that it is evident that the Army will be governed, and disposed of only by themselves, for which they have very great reason, and without which indeed they can have no security, for how complying soever the Houses are for the present, the Souldiers cannot forget, that they were once declared Traytors but for preparing a Petition, and they wisely observe, that *what was done, may be done again*; and by the demurs which have been made concerning the safety and immunity of the *Speakers and those faithfull Members who were driven away by violence*, and the immunity of the Army in advancing to *London*, (notwithstanding the publick acknowledgment and thanksgiving to God for it) They discern that they are only safe, by the want of power in the Houses of what party soever they consist, the ambition, injustice, and tyranny of both being equall.

The Army have already fully declared against their late Votes and resolutions, and therefore it must be presumed they will never concur, or contribute to the supporting them: The Generall himself in his Letter of the 6 of *June*, from *Cambridge*, to the Speaker, tells him, *That as it is his most earnest and humble desire, so he found it to be the unanimous desire and study of the Army, that a firm peace in this Kingdome may be settled, and the Liberties of the people cleared and secured, according to the many Declarations by which they were invited and induced to engage in the late War*; And in the Declaration and representation from the Generall and the whole Army of the 14 of *June* to the Parliament, they tell them plainly and honestly, *That they were not a meer mercenary Army, hired to serve any Arbitrary power of State, but called forth and conjured by the severall Declarations of Parliament to*

Id. p. 140, 141.

Decl. and Papers of the Army, p. 23.

Decl. & Papers of the Army, p. 39.

the

the defence of their owne, and the peoples just Rights and Liberties, and so they take up Armes in judgment and Conscience to those ends, and have so continued them, and are resolved according to the first just desires in their Declarations, and such principles as they had received from their frequent Informations, and their own Common sense concerning those fundamentall Rights and Liberties; and to assent and vindicate the just power and rights of this Kingdome in Parliament for those common ends premised, against all Arbitrary power, violence, and oppression, and against all particular parties or interests whatsoever: And in their Remonstrance of the 23 of June from S. Albons, they say, That the Kingdom calls upon them not to disband, till they see the Rights, Liberties, and Peace of the Kingdome settled, according to the many Declarations, by which they were first called forth, and invited to ingage in the late War. 1b. p. 63.

Now what those ends, desires, and principles were in their Declarations, are set forth before, and known to all men, who have or will read their Declar: to be no other then *the maintenance of the true Protestant Religion, the King's just Prerogative, the Lawes and Liberties of the Land, and the Priviledges of Parliament, in which endeavours (they said) they would still persist though they should perish in the work; And they were so far from avowing, that they would not send to, or hear from the King, or not suffer His Majesty to come to them, that they declare, that as they never gave Him any just cause of withdrawing Himself from His great Councell, so it had ever been, and should ever be far from them to give any impediment to His return; And in their Declaration in Answer to the Kings, after the Battle at Edghill, concerning the allegations, that the Army raised by the Parliament was* Ex. Col. p. 281.

1b. 588.

Ib. 657.

to murder and depose the King, they say, *They hoped the Contrivers of that Declaration, or any that professed but the name of a Christian, could not have so little charity as to raise such a scandall, especially when they must needs know the Protestation taken by every Member of both Houses, whereby they promise in the presence of Almighty God to defend His Majesties Person : And by that Protestation of the 22 of October, 1642. (remembred before) they declare in the presence of Almighty God, to this Kingdome and Nation, and to the whole world, That no private passion or respect, no evill intention to His Majesties Person, no designe to the prejudice of His just Honour and Authority engaged them to raise Forces, and to take up Armes ; So that these being the desires, ends, and principles in their Declarations, by which the Army was invited to ingage in this War, they will not suffer themselves to be betrayed into a perpetuall abjuring their Allegiance, or to be made instruments for the destruction of all they were ingaged to defend, but they will discern, that as they may be excused for having upon such specious professions been misled by those, whom they might reasonably believe, (which hath been the case of many honest men) so after so palpable a discovery of their wicked purposes, they can only recover and preserve their innocence and credit by abhorring those, who having engaged them to honest publick ends, would now corrupt them to sacrifice their bodies and souls to their own private lusts, malice, and ambitions : And they cannot forget, that true acknowledgment of the Lords and Commons in their Petition of the 14 of December, 1641. to the King, in which they say, *they acknowledge His Royall favour and protection to be a great blessing and security to them for the injoying and preserving**

Ib. 663.

ving of all those publique and private Liberties and Priviledges, which belong unto them.

If the people could be so mad; if their fear, or their folly prevailed over them to submit to such a settlement, as these Declarers would devise for them, there are not ten of them, whose names are known to the Kingdome, who do know and are agreed what kind of Government they would establish in Church or State; Their feares and jealousies with which they delighted themselves, are now grown reall diseases, and take away their sleep from them; so that setting aside the peace of Conscience, which they contend not for, there is not a man amongst them injoyes that assurance of outward Security, as the poor *Cavalier* does, whom they have robbed and spoyled of all that he hath, upon whom all their pride and plenty looks even with an envy and reverence; *Is not the seat of the Image of Jealousie, which provoketh to jealousy* Ezek. 8. 3. *(as it was in Ezechiel's Vision) in the gate that looketh toward the North?* and do they not every day look to be destroyed by those, by whose assistance, they have been inabled almost to destroy their Country?

They have not a foundation of credit to be trusted or believed at home or abroad, but not only having broken all obligations divine and humane, but publishing such a contempt of those obligations, that they are not henceforth capable of any trust; for how can they be believed upon Oaths (which are the most solemn bonds between men, when they are lawfully entred into) when they make glosses & interpretations upon them to serve their turns, directly contrary to the letter and words of the Oath? and if they cannot evade them that way, call them *Almanacks of the last year, and so out of date to direct them?* when they with whom they have entred into

Murt. Index
p. 11.

Treaties, and the most fast League could be devised, and to whom they have obliged themselves, never to transact any matter of publique concernment to the Kingdome without their concurrence, shall be told) after they have raised them to the pitch they are now at) that *they have nothing to do, to assent, or dissent, attest or protest concerning any thing they shall think fit to establish in this Kingdome, either for the Government of Church or State?* Nay, when they shall be told, that *it is no more manners in them to presse their advice and insist upon it, then it would be in the same number of Spaniards, Indians, or the most remote Region of the earth; and that so long, as they needed their assistance, they might have occasion to give them meetings now and then, whereas now since they are able to protect themselves, they may surely be sufficient to teach themselves to go about their own businesse?*

It will be necessary to adde, that in all their transactions at home, to which they have applied the Publique Faith, they have not only not performed the contracts they have made, but resolved at the time when they made them, not to observe them, as appears by the Order of the 2 June, 1646. by which the House of Commons resolved, *That all persons that have or shall come and reside in the Parliament Quarters, shall take the Nationall League and Covenant, and the Negative Oath, notwithstanding any Articles that have been or shall be made by the Souldiery:* And so they did not only break the Articles formerly made upon the Surrender of *Exeter* and other places, but by vertue of this Order, which could not be known to the persons concerned, they evaded those made afterwards upon the Surrender of *Oxford*, which were confirmed by themselves; of which a principall Article was, *that no man should be compelled to take*
any

Decl. concerning the Scots Papers, p. 62.

Mart. Inde: p. 7.

Col. ord. 2 vol. p. 889.

any Oath during the time he was allowed to stay in London, or at his own House, or where he pleased, which was for the space of Six Months after the Surrender.

As upon these, and infinite other reasons, the affections and hearts of the people, are quite aliened from the Parliament, so they are with an equall vigour recovered and converted to the King, and a full reverence to His sacred Person (the want of which may be held justly the primary cause of all our evils, and the advancement of all our distractions) and an ample acknowledgment of His Princely wisdom, and unparalleld constancy is confessed to be due to Him ; And by His truly magnanimous carriage during the time of His Restraint, when all persons have been removed from Him, who are either inclined to His Person, or Rights, out of their duty and Allegiance, or to His opinions out of judgment and understanding ; by His unshaken constancy, in not being moved from His great principles, with all their promises, and all their threats successively administred to Him ; by the sharpnesse and steddinesse of His understanding, with which upon all occasions, and in all discourses with the Commissioners, who attended Him, He hath demonstrated the impiety in point of Religion ; the injustice in point of Law ; the unreasonablenesse in point of Policy, even in relation to themselves, of all that they have proposed to Him in order to Peace, with such a clearnesse of judgment, and such a candidnesse of nature, that some of their own Ministers, not of the softest and gentlest constitutions, have been forced to their disadvantage, to publish His wonderfull abilities : All men acknowledge that whatsoever hath been wisely said, or prosperously done throughout the managery of his great Affairs, hath proceeded from His own virtue and conduct ;

duct; and that all the ill Successes, and oversights, which have preceded and caused those ill successes, were the effects of the unadvisednesse, unskilfulnesse, and passion of His Counsellours and Ministers.

Decl. & Papers
of the Army,
p 64.

1b.p.74:

And that the Kings great virtue had, and would have this great influence upon the people, the Army well knew, when (to indear and ingratiate themselves after the taking His Majesty from *Holmby*) they declared in their Remonstrance of the 23 of June from *St. Albons*, That *whereas there had been scandalous informations presented to the Houses, and industriously published in print, importing as if His Majesty were kept as a Prisoner amongst them, and barbarously and uncivilly used, they said they could not but declare, that the same, and all other suggestions of that sort, were most false and scandalous, and absolutely contrary not only to their declared desires, but also to their principles, which are most clearly for a generall right and just freedom to all men; and therefore upon this occasion (they say) they cannot but declare particularly, that they desire the same for the King and others of His Party, and they further cleerly professed, that they did not see, how there could be any peace to this Kingdome, firm or lasting, without a due consideration of, and provision for the rights, quiet, and immunity of His Majesties Royall Family and His late partakers; And their Generall by his Letter of the 8 of Iuly to the Speaker, which was as soon printed as sent, freely acquainted them, that their Army had made many Addresses to the King, to desire His Majesties free concurrence with the Parliament, for establishing and securing the common Rights and Liberties, and settling the peace of the Kingdome; And to assure Him, that the publique being so provided for, with such His Majesties concurrence, it was fully agreeable to all their principles, and should*

should be their desires and endeavour, That (with and in such settling of the Publique) the Rights of His Majesties Royall Family should be also provided for, so as a lasting peace and agreement might be settled in this Kingdome; And that as they have formerly declared for the same in generall termes, so (if things came to a way of settlement) they should not be wanting (in their spears) to own that generall desire in any particulars of naturall or civill right to His Majesties Person or Family, which might not prejudice, or again indanger the Publique: By which gawdy professions, together with the admission of such Servants and Chaplains to attend His Majesty whom He desired, and which had been barbarously denied by the Houses (who were by this time so sensible of their error, as they desired His Majesties presence amongst them upon His own Conditions) they raised themselves to that credit with the Kings party, with the City of London, and universally with the people, that by this Stratagem onely they grew able and powerfull enough to confine Him to *Carisbrooke-Castle*, and to proceed since as they have done; And surely when the Army hath thoroughly weighed and considered the huge advantages they have gotten by those professions and protestations, and how far they have been from making the same good to the King, they will not suffer themselves to be made a stalking Horse to the vile ends of particular persons, nor let their *Morall Righteousnesse*, in which they so much triumph, to grow into a Proverb, for the highest and most unworthy Craft, *Hypocrisie*, and *Treachery*.

It remains now, since by any endeavours of these men, sever'd from the return to their duty and Allegiance, it is not possible for them to establish any peace or happiness to the Kingdome, or security to themselves, to per-

swade them that by doing at last the duty of Christians, they may not only preserve their Country, which no body can doubt, but they may be superiour to any difficulties and hazard, their guilt suggests they shall be liable to.

It is yet in their power so absolutely to make the Kings restoration their own work, that His Majesty may be obliged even in point of gratitude to acknowledge it, and to remember only by whose fidelity He hath recovered what He had lost, and not by whose fault He lost it; and His party, (who for Conscience sake have lost all) know that charity is so fundamentall a duty of a Christian, that there is no excuse for the least degree of animosity and revenge, let the injuries they have received be never so great; and the Kings owne experience of men hath sufficiently informed Him, that as many of good inclinations have by inadvertency & credulity, been cozened into a combination against Him, and it may be, the worst of them grown by degrees worse then they intended to be; so all who have seemed to follow a good cause, are not good men, but had ends as ill as they, whom they opposed; and therefore all mention and memory of former Errors being blotted out, it may be presumed He will trust and imploy all His good Subjects, according to their severall faculties and abilities, without remembering how they have been at any time disposed against Him; and they have reason to believe that whatsoever His Majesty shall freely consent to, He will most religiously observe, and cause all others to observe it; Let them therefore seasonably enter into a Treaty with His Majesty, attended with such of His Counsell as He shall chuse; and let the fullest Articles be agreed upon, which may give a mutuall assurance of security to all persons
and

and interests, to which His Majesty having given His Assent in such manner as shall be desired, all His Counsell and all Ministers of Justice throughout the Kingdom, may be solemnly sworn to those Articles; the which being done, and the same confirmed by such an Act; and in that manner passed as they shall conclude may be valid; Let this unhappy Parliament be dissolved, an intermission of Parliament being at this time more necessary for the vindication of the justice, and Lawes of the Kingdom, and restoring a happy peace, then ever a convention of Parliament was for the reformation and removing of grievances.

To conclude, unreasonable and unjust Propositions may continue the War, and the distractions; never make a peace, which is nothing, but the liberty to enjoy what in justice and right is our due; and as long as the world lasts, that Answer of the Ambassadors from *Priverum* to the Senate of *Rome* will be found to be reason, who when he was asked what peace the Romans might depend upon with them, (because they had been guilty of some defection) answered, *Si bonam dederitis; & si* Liv. li. 8. 21.
dam, & perpetuam; si malam, haud diuturnam; which that wise Senate confessed to be an honest Answer, and that it was madnesse to believe any people or private person *in eâ conditione, cujus eum pœniteat, diutius quàm necesse sit mansurum*: Let us then (like English men) make up the breach our selves have made, and let not our Country and Posterity owe their redemption to any forain power; but let us prostrate our selves at the feet of our abused Sovereigne, with that hearty acknowledgment and testimony which the King of *Tyre* sent to *Solomon*: *Because the Lord hath loved his people, he hath* 2 Cron. 2. 11.
made thee King over them; To a profane, dissolute, and
 licentious

licentious people, he hath given the most pious and temperate King, to recover & reform them by his example ; and to a wicked and rebellious people, the most gentle and mercifull King to preserve them by his goodnesse ;

Heb. 10. 26, 27. But, if they sin wilfully after that they have received the knowledge of the truth, there remaineth no more sacrifice for sins, but a certain fearfull looking for of judgment, and fiery indignation, which shall devoure the Adversaries.

Micah 7. 4.

The best of them is as a Bryer : the most upright is sharper then a Thorn-hedge : the day of thy Watch-men and thy visitation cometh ; now shall be their perplexity.

Ezekiel 23. v. 5, 9.

And Aholah played the Harlot when she was mine, and she doted on her Lovers, on the Assyrians her Neighbours.

Wherefore I have delivered her into the hands of her Lovers, into the hand of the Assyrians, upon whom she doted.

The End.

